

Reader's Guide and Executive Summary

Reader's Guide

The HiLine Resource Management Plan and Environmental Impact Statement (Draft RMP/EIS) was prepared under the guidance of the Federal Land Policy and Management Act and the National Environmental Policy Act.

The Draft RMP/EIS is organized into five chapters and the appendices. The five chapters detail the introduction, alternatives, affected environment, environmental consequences, and coordination. In order to improve the readability of this document and to enable the reader to easily locate referenced tables/sections, the resource discussions are organized alphabetically in Chapters 2, 3 and 4. The chapter numbers are noted in the document headers and resource sections are noted in the footers, along with the page numbers. The appendices include supporting information for some of the topics discussed in Chapters 1 through 5 which would be too lengthy to include under a specific section.

Chapter 1: Introduction

This chapter contains background information on the planning process and sets the stage for the information that is presented in the rest of the document. Chapter 1 has 15 main sections, beginning on page 1. They include:

- Background
- Purpose and Need
- Planning Area
- Collaboration
- Planning Process
- Scoping
- Issues Addressed
- Issues and Concerns Considered but Not Addressed Further
- Planning Criteria
- Vision and Management Goals
- Development of Alternatives
- Related Plans
- Relationship to BLM Policies, Plans, and Programs
- Draft Resource Management Plan
- Proposed Resource Management Plan/Final EIS

Chapter 2: Alternatives

This chapter describes the management alternatives for the HiLine and is presented in five sections:

- Introduction
- Implementation and Monitoring
- Current Management and Alternatives
- Alternatives Considered but Not Analyzed in Detail
- Comparison of Alternatives and Environmental Consequences

The Current Management and Alternatives section, beginning on page 24, provides a detailed description of the five alternatives for each resource presented, as well as Decisions Common to All Alternatives, which will be carried forward into each alternative described in the chapter.

The information relating to the alternatives, affected environment, and environmental consequences (impact analysis) is organized by the following resource areas:

- Air Resources
- Cultural Resources
- Fire Management and Ecology
- Fish
- Fluid Minerals
- Forests and Woodlands
- Lands and Realty
- Livestock Grazing
- Noxious Weeds and other Invasive Non-Native Species
- Off-Highway Vehicle Use and Travel and Transportation Management
- Paleontological Resources
- Public Safety
- Recreation
- Renewable Energy Resources
- Social
- Soil Resources
- Solid Minerals
- Special Designations
- Transportation and Facilities
- Vegetation – Rangeland
- Vegetation – Riparian and Wetland
- Vegetation – Special Status Plants
- Visual Resources
- Water Resources
- Wilderness Characteristics
- Wildlife

Chapter 2 begins on page 23.

Chapter 3: Affected Environment

This chapter provides background information on the various resources administered by the Bureau of Land Management (BLM) that could be affected by the alternatives described in Chapter 2.

Chapter 3 begins on page 241.

Chapter 4: Environmental Consequences

This chapter describes the environmental, economic and social consequences of implementing the alternatives presented in Chapter 2 and is presented in 7 sections:

- Introduction
- Reasonable Foreseeable Future Actions
- Reasonable Foreseeable Development Scenarios
- Acres of Surface Disturbance
- Impacts from the Alternatives
- Unavoidable Adverse Impacts
- Short-Term Use versus Long-Term Productivity
- Irreversible and Irretrievable Commitment of Resources

The impact-related information in this chapter is organized by resource, then by effects to the resource from other resource sections/categories under each alternative. Some resource sections do not address all the categories or topics covered in Chapter 2, but only those that would affect the resource section being discussed.

Chapter 4 begins on page 405.

Chapter 5: Consultation and Coordination

This chapter includes a description of the public participation opportunities, consultation and coordination with tribal governments, other agencies including cooperating agencies, and the Resource Advisory Council. This chapter also lists the agencies, organizations and businesses receiving the document, and provides a brief introduction of the preparers of the Draft RMP/EIS.

Chapter 5 begins on page 739.

Appendices

The appendices are lettered and organized in the order they are referenced in the Draft RMP/EIS. They include:

- A Implementation and Monitoring
- B Air Resources Draft HiLine District Air Resource Management Plan: Adaptive Management Strategy for Oil and Gas Resources
- C Best Management Practices
- D Fire and Emergency Stabilization and Rehabilitation
- E Fluid Minerals
 - E.1 Oil and Gas Operations
 - E.2 Oil and Gas Best Management Practices (General Conditions of Approval)
 - E.3 Bureau of Reclamation Lease Stipulations
 - E.4 Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria
 - E.5 Requirements and/or Guidelines for Wildlife, Controlled Surface Use Stipulations
- F Land Ownership Adjustment
 - F.1 Land Ownership Adjustment Criteria
 - F.2 BLM Land Available for Disposal by Exchange or Sale (Category 3)
- G Livestock Allocations
- H Standards for Rangeland Health and Guidelines for Livestock Grazing Management
- I Guidelines for the Use of Yearling Conversion Factors
- J Reclamation
- K Areas of Critical Environmental Concern, Evaluations of Relevance and Importance Criteria
- L Wild and Scenic Rivers Report, Eligibility and Suitability Determinations
- M Mitigation Measures and Conservation Actions for Greater Sage-Grouse Habitat
- N Fish and Fisheries
- O Wind Energy Reasonable Foreseeable Development Scenario
- P Locatable Mineral Resources Reasonable Foreseeable Development Scenario
- Q Wildlife Species
- R Monitoring of Sage-Grouse and Sagebrush Habitats
- S Special Recreation Management Areas and Extensive Recreation Management Areas

Each appendix may contain several pieces of information related to the topic covered. The appendices are located following the Index, which begins on page 809.

Maps

The Draft RMP/EIS includes 17 (11 x 17) foldout maps at the conclusion of Chapter 2. Several other maps are referenced in the Draft RMP/EIS which can be found on the following website: <http://blm.gov/8qkd>.

Executive Summary

Purpose and Need

The purpose of the RMP is to provide a single, comprehensive land use plan to guide management of public lands and minerals administered by the HiLine District. The plan provides goals, objectives, land use allocations, and management direction to maintain, improve, or enhance resource conditions and to provide for long-term benefits to the public.

The need for the revision is the result of considerable changes within the planning area since completion of the Judith-Valley-Phillips RMP and the West HiLine RMP. Additional plan amendments and maintenance actions are not adequate to address these changes, which include increased oil and gas leasing, exploration and development activities, heightened public awareness and interest in BLM management actions and permitted uses, increased demand for recreational use of public lands, increased conflicts between land use and wildlife/wildlife habitat, changes in BLM policy, and expanded scientific knowledge and data.

In March 2010, the U.S. Fish and Wildlife Service (USFWS) published its listing decision for the Greater Sage-Grouse as "Warranted but Precluded." Inadequacy of regulatory mechanisms was identified as a major threat in the USFWS finding on the petition to list the Greater Sage-Grouse. The USFWS has identified the principal regulatory mechanism for the BLM as conservation measures in RMPs. Based on the identified threats to the Greater Sage-Grouse and the USFWS timeline for making a listing decision on this species, the BLM needs to incorporate objectives and adequate conservation measures into RMPs in order to conserve, enhance, and/or restore Greater Sage-Grouse habitat and could reduce the need to list the species as threatened or endangered under the Endangered Species Act.

This RMP revision incorporates specific management actions and conservation measures to conserve greater sage-grouse and its habitats on BLM land.

Issues Addressed

Planning issues are determined from demands, concerns, conflicts, or problems concerning use or management of public lands and resources. These issues are usually expressed in terms of the potential adverse consequences or effects that a particular land or resource use may have on other lands or resources which are used or valued for other purposes. The following planning issues were identified through public scoping and information gathered in analyzing the existing management situation in the planning area. Based on the input of the public, other government agencies, and the BLM and its cooperators, eleven key issues or unresolved conflicts were identified.

Issue 1: How will the area be managed for the development of fluid minerals, solid minerals, and renewable energy?

Fluid Minerals

In March 2004, the United States District Court for the District of Montana determined that the West HiLine RMP, which was approved in 1988, did not analyze the impacts of leasing in the area such as to allow leasing to proceed without appropriate NEPA analysis. The BLM was ordered to prepare an environmental impact statement for the oil and gas leasing program that covers the three leases. While this ruling only applied to the three leases, the BLM discontinued leasing in the West HiLine planning area until completion of a new resource management plan that would address the oil and gas leasing program.

Oil and gas leasing continues to occur in the remaining portion of the planning area on a very limited basis until completion of a new resource management plan. In 1988, the BLM suspended lease issuance on lands that require special stipulations to protect wildlife resources until a new resource management plan was completed. This was a result of a protest on the issuance of oil and gas leases by the BLM in Montana. In the early 1990s, the BLM prepared the Judith-Valley-Phillips RMP to address this protest along with other resource issues. However, a subsequent protest to the 1992 Judith-Valley-Phillips RMP warranted a supplement to address an alternative for oil and gas leasing that would

avoid leasing valuable wildlife habitat. The supplement was never finalized and the HiLine RMP will address the deficiency.

The HiLine RMP will address the oil and gas leasing program for the entire planning area in compliance with FLPMA, NEPA, ESA, NHPA and all other applicable laws, regulations, and policies. Fluid mineral (oil and gas) development and the related transportation network may conflict with other land and resource uses or values in some areas. Principal management considerations include split estate ownership (private surface/federal minerals), activities and human presence in fish and wildlife habitats, and the potential effects of mineral development on recreation values, forage use, air quality, scenic quality, sensitive vegetation types, and water quality. Areas should be identified where surface-disturbing activities (e.g., mineral exploration and development) are suitable or not suitable.

Solid Minerals

Solid mineral development, which includes leasable, locatable, and salable minerals, requires the same management considerations discussed above for fluid minerals.

Leasable mineral resources are managed under the Mineral Leasing Act of 1920. Coal is a leasable solid mineral with occurrence potential in the planning area; however, no leases have been issued, no production is occurring, and the potential for development is considered to be low enough that no interest has been shown in obtaining leases.

Locatable minerals (e.g., gold and silver) are managed under the General Mining Law of 1872, as amended, which allows the location and maintenance of mining claims on those federal mineral estate lands open for mining claim location and patent. The BLM manages the Mining Law program on federal mineral estate as set forth in 43 CFR 3809. BLM management includes authorizing and permitting mineral exploration, mining, and reclamation actions. Areas should be recommended for closure to the mining laws for locatable exploration or development where surface-disturbing activities are not suitable. Any terms or conditions should also be considered when needed to protect other resource values while conducting activities under the operation of the mining laws.

Salable minerals were designated under the Materials Act (July 1947), which authorizes the disposal of petrified wood and common varieties of sand, gravel, stone, pumice, cinders and clay through a contract of sale or free use permit. Uncommon varieties of these same minerals are locatable under the Mining Law. Management actions for salable minerals determine areas open or closed to mineral material development and identify mitigation needed to protect other resource values.

Renewable Energy (Wind)

The majority of high development potential areas for wind resources are located in the western third of the planning area (Glacier, Toole and Liberty counties), which has the least amount of BLM land. At this time no existing or proposed wind farms are located on BLM land; however, several wind farms are in varying stages of planning on lands not managed by the BLM. These wind farms have the potential to expand; therefore, future wind farms and/or associated facilities (e.g., transmission lines and utility corridors) could occur on BLM land. The increased need for energy and reducing American reliance on foreign energy resources will most likely increase the demand for wind energy development. Some areas may need to be closed to wind energy development or mitigation may need to be considered to protect other resource values.

Issue 2: Are there opportunities to enhance management through land ownership adjustment?

Opportunities may exist to consolidate land ownership patterns that would provide improved land management efficiencies as well as benefit private landowners, local communities, and the public. Identification of land parcels and/or establishment of criteria that would be used to identify lands for land ownership adjustments are necessary.

Issue 3: How will soils and vegetation be managed to achieve or maintain healthy ecosystems while providing for a broad range of multiple uses?

It is important to determine the appropriate mix of resources produced from the public lands. Vegetation resource values include native vegetative cover, important watersheds, properly functioning riparian areas, quality soils, healthy forests

and fuel conditions, and important wildlife habitat (particularly big game crucial winter range and habitat for candidate, sensitive, proposed, or threatened and endangered wildlife and vegetative species). Consumptive uses of vegetation include livestock grazing, forest products, wildlife foraging, and vegetation removal by surface-disturbing activities.

Issue 4: How will the area be managed for cultural resources and significant paleontological resources?

Cultural and paleontological resources must be managed in a way that appropriately protects these unique resources consistent with laws, regulations, and policies. Certain resources and areas need protection. Of particular concern is the need for protection of historic/traditional use areas and significant paleontological sites. Other areas should be accessible for more public and recreational uses.

Issue 5: How should the BLM manage motorized travel to meet the needs for public access and resource uses while considering conflicts of use and effects on other resources?

Improperly managed motorized travel can conflict with other land and resource uses and values. Of concern are potential effects on resources, including soil, vegetation, wildlife habitat and disturbance, watersheds, visual values, cultural and paleontological resources, and other recreation values. Principal considerations include providing for suitable and sufficient recreation uses and facilities (both dispersed and commercial), visual resource management direction, and OHV use designations.

Issue 6: How will access be managed to meet the needs of the public?

Meeting the access needs of the public involves two management issues. One is the acquisition of legal public access to BLM lands for the use and enjoyment of the public and for resource uses (e.g., energy development, right-of-way authorizations, grazing, and other uses). The other involves designating motorized or non-motorized access routes over BLM land, which would be addressed in travel management planning after completion of the RMP.

Issue 7: How will the BLM manage resource uses while protecting important wildlife habitat and special status species, including greater sage-grouse?

The principal issues concerning wildlife habitat are surface-disturbing or disruptive activities in big game winter range, migratory routes, and birthing areas (for elk, mule deer, pronghorn, and bighorn sheep) along with the habitats of other important fish and wildlife species (e.g., greater sage-grouse, mountain plovers, and grassland birds). Alteration or elimination of wildlife habitats on private lands has increased the importance of maintaining functional habitats on BLM lands. Populations of greater sage-grouse have declined throughout their range, and some intensively developed areas in the planning area no longer provide functioning sage-grouse habitats.

Several categories of species and their habitats within the planning area require special management or considerations. These species are federally listed threatened and endangered, proposed for listing, and candidate and state sensitive species, and BLM special status species. Principal concerns associated with special status species are habitat identification, use, and quality; and the interrelationships between these species and other resource uses and human activities.

In March 2010, the USFWS determined that the greater sage-grouse warranted protection under the Endangered Species Act (ESA), but that listing the species was precluded by the need to address other, higher-priority species first (75 FR 13910, March 23, 2010). One reason for the USFWS decision was an identified need for “improved regulatory mechanisms” to ensure species conservation. The principal regulatory mechanisms for the BLM are Resource Management Plans (RMPs); therefore, the BLM is using this opportunity to develop long-term and effective management for the species on the BLM lands (WO IM No. 2012-044).

Issue 8: Which areas, if any, should be managed as special designations and how should they be managed to protect values that warrant special designation status?

Resources or features of the lands within the planning area must be evaluated to determine if and how those resources or features might be managed in the future using specific or special management practices. A total of 19 Area of Critical

Environmental Concern (ACEC) existing designations and new nominations will be considered during this planning process:

- Seven designated ACECs currently lie within the planning area: Azure Cave, Big Bend of the Milk River, Bitter Creek, Kevin Rim, Mountain Plover, Sweet Grass Hills, and prairie dog towns within the 7km Complex.
- The BLM also identified four ACEC nominations during scoping that will be considered in the planning process: Malta Geological, Woody Island, Frenchman, and Zortman/Landusky Mine Reclamation.
- The BLM received five ACEC nominations from the public that will be considered in the planning process: Grassland Bird/Greater Sage-Grouse, Greater Sage-Grouse, Five Watersheds, Mountain Plover, and Black-tailed Prairie Dog and Black-footed Ferret.
- Three other ACEC nominations received prior to the commencement of this planning process will also be considered: Old Scraggy; Saddle Butte; and Little Rocky Mountains.

Issue 9: How will the BLM manage for fire, including wildfire and prescribed fire?

The BLM prioritizes wildfire management activities by risk to life and property, commensurate with fire management costs. Mechanical, prescribed fire and other appropriate treatments can be used to restore and maintain fire regimes and land health, and reduce hazardous fuels accumulations. Areas should be identified where fire is desired to manage ecosystems and areas where current conditions create constraints on use, or where unplanned fire is likely to cause negative effects.

Issue 10: How will the BLM consider social and economic conditions in the planning area when managing BLM lands?

The planning area provides a variety of resources that contribute to the local economy (e.g., natural gas, livestock grazing, recreation, etc.). Potential social and economic effects associated with management include changes in employment, income, public revenues, economic dependency, economic stability, and quality of life. Management must recognize the economic activities that are dependent on the land and its natural resources.

Issue 11: Which areas, if any, should be managed for wilderness characteristics and how should they be managed to protect those values?

Section 201 of FLPMA requires the BLM to maintain on a continuing basis an inventory of all public lands and their resources and other values. This inventory requirement includes maintaining information regarding wilderness characteristics (Washington Office Instruction Memorandum (WO IM) No. 2011-154).

The existing inventory of BLM land in the HiLine planning area was updated and evaluated to determine whether additional lands other than the existing wilderness study areas (WSAs) have wilderness characteristics. Areas with wilderness characteristics must possess sufficient size, naturalness, and outstanding opportunities for either solitude or primitive and unconfined recreation. Twenty-six areas within the HiLine District have wilderness characteristics. These areas include 386,462 acres of BLM land and vary in size from 4,118 to 49,564 acres. Section 202 of FLPMA requires the BLM to rely on resource inventories in the development and revision of land use plans, including inventory information regarding wilderness characteristics.

Vision and Management Goals

The vision of the HiLine District is to manage the planning area in a manner that provides for multiple use while sustaining a healthy and productive environment for present and future generations.

A number of management goals guided the development of alternatives for this RMP. The goals are the result of information provided through public scoping, existing laws and regulations, and the planning team. Management goals are discussed in more detail in Chapter 2. These goals include:

- Protect, preserve and interpret the cultural and paleontological resources within the planning area and ensure they are available for appropriate uses by present and future generations.
- Manage air quality, soils, vegetation, and water resources to meet all state and federal standards, maintain a diversity of ecological conditions and enhance resource values while providing for a variety of multiple uses that are economically and biologically feasible.
- Ensure habitat for fish and wildlife species, including special status species, is of sufficient quantity and quality to enhance biological diversity and sustain ecological, economic and social values.
- Ensure dependable and environmentally responsible exploration and development of mineral resources and renewable energy consistent with other resource goals.
- Improve resource management efficiency and provide public benefits while protecting significant resources.
- Provide a diverse array of recreational opportunities and visitor experiences while maintaining healthy BLM land resources.
- Manage certain areas with significant values (e.g., ACECs, WSAs, National Historic Trails, etc.) through special management to protect those resources in need of a higher degree of management.

General Description of Each Alternative

The five alternatives provide a reasonable range of management options to resolve the issues identified for the HiLine District. Each alternative fits within the framework provided by the vision and management goals described above. Following is a brief description of the alternatives which highlights the key management decisions to be made in this RMP/EIS. A more complete overview of the alternatives, including decisions common to all alternatives, can be found in the text of Chapter 2, Table 2.21, Summary Comparison of Alternatives, and Table 2.22, Summary Comparison of Environmental Consequences. Both tables are located at the end of Chapter 2.

Alternative A (Current Management)

Fluid Mineral Leasing: Approximately 282,062 acres (8%) of federal minerals would be open to leasing subject to major constraints (No Surface Occupancy (NSO)), 2,649,241 acres (76%) would be open to leasing subject to minor constraints (Timing Limitation Stipulation (TLS) and Controlled Surface Use (CSU)), and 457,849 acres (13%) would be open to leasing subject to standard lease terms only. Approximately 102,298 acres (3%) of federal minerals would be closed to leasing.

Renewable Energy: About 92% of the planning area (2,248,567 acres) would be open to wind energy rights-of-way with minor constraints (standard terms/conditions and Best Management Practices (BMPs)). About 8% of the planning area would be exclusion areas for wind energy rights-of-way (188,871 acres).

Solid Minerals: A total of 76,461 acres would be closed to mineral leasing. Four existing mineral withdrawals would be continued (19,914 acres), including the Sweet Grass Hills Traditional Cultural Property (TCP) withdrawal, which would not be recommended for an extension. Two new withdrawals (1,991 acres) would be recommended. Areas closed to salable minerals would total 74,490 acres.

Special Designations: Seven existing ACECs would be continued. No potential ACECs would be designated. Several routes would be considered for back country byway status. No segments would be recommended for inclusion in the National Wild and Scenic Rivers System.

Wilderness Characteristics: The BLM would continue to manage other multiple uses as a priority over protecting wilderness characteristics.

Wildlife – Greater Sage-Grouse: The national and Montana greater sage-grouse conservation strategies would be used as the basis to address sage-grouse needs during the watershed planning process and project level analysis.

Alternative B

Fluid Mineral Leasing: Approximately 258,560 acres (7%) of federal minerals would be open to leasing subject to major constraints (NSO); 3,291 acres (<1%) would be open to leasing subject to minor constraints (TLS and CSU); and 55,962 acres (2%) would be open to leasing subject to standard lease terms only. Approximately 3,173,637 acres (91%) of federal minerals would be closed to leasing.

Renewable Energy: Less than 1% of the planning area (8,010 acres) would be open to wind energy rights-of-way with minor constraints (standard terms/conditions and BMPs), and about 10% of the planning area (241,040 acres) would be avoidance areas. About 90% of the planning area (2,188,388 acres) would be exclusion areas for wind energy rights-of-way.

Solid Minerals: A total of 1,719,606 acres would be closed to mineral leasing. Four existing mineral withdrawals would be continued (23,563 acres). The BLM would recommend a 20-year extension for the Sweet Grass Hills TCP withdrawal, and modifications to the Camp Creek and Montana Gulch campgrounds withdrawals. Nine new withdrawals would be recommended (1,647,638 acres). Areas closed to salable minerals would total 1,621,477 acres.

Special Designations: Six existing ACECs would be continued. Four potential ACECs would be designated. No back country byways would be designated. The 1/2 mile segment of the Marias River at the confluence of the Missouri River would be recommended as suitable for inclusion in the National Wild and Scenic Rivers System.

Wilderness Characteristics: The BLM would manage 26 areas to protect wilderness characteristics as a priority over other multiple uses (386,428 acres).

Wildlife

Grassland Bird/Greater Sage-Grouse Priority Areas: To minimize habitat fragmentation, four areas with BLM surface ownership would be managed as an ACEC to retain intact blocks of native vegetation. One of these areas is also a sage-grouse core area identified by Montana Fish Wildlife and Parks (MFWP). These four areas would include 461,220 acres of BLM surface.

Greater Sage-Grouse Protection Priority Area: To minimize wildlife habitat fragmentation, an area with BLM surface ownership greater than 50% would be managed as an ACEC to retain intact blocks of native vegetation where contiguous acreage of greater than 10,000 acres is present. This would include 930,265 acres of BLM surface.

Alternative C

Fluid Mineral Leasing: Approximately 1,291,160 acres (37%) of federal minerals would be open to leasing subject to major constraints (NSO); 1,681,991 acres (48%) would be open to leasing subject to minor constraints (TLS and CSU); and 299,713 acres (9%) would be open to leasing subject to standard lease terms only. Approximately 218,586 acres (6%) of federal minerals would be closed to leasing.

Renewable Energy: About 5% of the planning area (112,108 acres) would be open to wind energy rights-of-way with minor constraints (standard terms/conditions and BMPs) and 41% of the planning area (1,000,373 acres) would be avoidance areas. About 54% of the planning area would be exclusion areas for wind energy rights-of-way (1,324,957 acres).

Solid Minerals: A total of 1,621,984 acres would be closed to mineral leasing. Four existing mineral withdrawals would be continued (23,563 acres). The BLM would recommend a 20-year extension for the Sweet Grass Hills TCP withdrawal, and modifications to the Camp Creek and Montana Gulch campgrounds withdrawals. Ten new withdrawals would be recommended (1,506,086 acres). Areas closed to salable minerals would total 1,276,138 acres.

Special Designations: Six existing ACECs would be continued. Four potential ACECs would be designated. No back country byways would be designated. The 1/2 mile segment of the Marias River at the confluence of the Missouri River would be recommended as nonsuitable for inclusion in the National Wild and Scenic Rivers System.

Wilderness Characteristics: The BLM would manage 12 areas (228,395 acres) to protect wilderness characteristics as a priority over other multiple uses and would apply management restrictions to reduce impacts to wilderness characteristics on 75,327 acres.

Wildlife

Grassland Bird/Greater Sage-Grouse Priority Areas: To minimize habitat fragmentation, two areas with BLM surface ownership would be managed to retain intact blocks of native vegetation. One of these areas is also a sage-grouse core area identified by MFWP. These two areas would include 298,772 acres of BLM surface.

Greater Sage-Grouse Protection Priority Area: To minimize wildlife habitat fragmentation, an area with BLM surface ownership greater than 50% would be managed to retain intact blocks of native vegetation where contiguous acreage of greater than 10,000 acres is present. This would include 930,265 acres of BLM surface.

Alternative D

Fluid Mineral Leasing: Approximately 357,456 acres (10%) of federal minerals would be open to leasing subject to major constraints (NSO); 2,461,652 acres (71%) would be open to leasing subject to minor constraints (TLS and CSU); and 597,668 acres (17%) would be open to leasing subject to standard lease terms only. Approximately 74,674 acres (2%) of federal minerals would be closed to leasing.

Renewable Energy: About 10% of the planning area (245,592 acres) would be open to wind energy rights-of-way with minor constraints (standard terms/conditions and BMPs) and 78% of the planning area (1,898,854 acres) would be avoidance areas. About 12% of the planning area (292,992 acres) would be exclusion areas for wind energy rights-of-way.

Solid Minerals: A total of 276,541 acres would be closed to mineral leasing. Three existing mineral withdrawals would be continued (387 acres). The Sweet Grass Hills TCP and Zortman/Landusky mine reclamation withdrawals would be allowed to expire. The BLM would recommend modifications to the Camp Creek and Montana Gulch campgrounds withdrawals and revocation of three withdrawals. Eight new withdrawals would be recommended (184,458 acres). Areas closed to salable minerals would total 232,534 acres.

Special Designations: Six existing ACECs would be continued. Four potential ACECs would be designated. No back country byways would be designated. The 1/2 mile segment of the Marias River at the confluence of the Missouri River would be recommended as nonsuitable for inclusion in the National Wild and Scenic Rivers System.

Wilderness Characteristics: The BLM would manage other multiple uses as a priority over protecting wilderness characteristics.

Wildlife – Greater Sage-Grouse: The BLM would use the national and Montana greater sage-grouse conservation strategies as the basis to address greater sage-grouse needs during the watershed planning process and project level analysis. Greater sage-grouse habitat suitability determinations would be based upon existing guidelines modified with data from recent habitat inventories and assessments in the planning area. Relevant range-wide research findings would also be included in habitat suitability determination.

Alternative E (Preferred Alternative)

Fluid Mineral Leasing: Approximately 1,711,378 acres (49%) of federal minerals would be open to leasing subject to major constraints (NSO); 1,460,096 acres (42%) would be open to leasing subject to minor constraints (TLS and CSU); and 167,273 acres (5%) would be open to leasing subject to standard lease terms only. Approximately 152,702 acres (4%) of federal minerals would be closed to leasing.

Renewable Energy: About 1% of the planning area (33,943 acres) would be open to wind energy rights-of-way with minor constraints (standard terms/conditions and BMPs) and 35% of the planning area (863,822 acres) would be avoidance areas. About 63% of the planning area would be exclusion areas for wind energy rights-of-way (1,539,673 acres).

Solid Minerals: A total of 1,623,904 acres would be closed to mineral leasing. Four existing mineral withdrawals would be continued (20,058 acres). The BLM would recommend a 20-year extension for the Sweet Grass Hills TCP withdrawal, and modifications to the Camp Creek and Montana Gulch campgrounds withdrawals. Three withdrawals would be recommended for revocation. The BLM would consider the need for a new withdrawal or right-of-way for the Zortman/Landusky mine reclamation area. Two new withdrawals would be recommended (24,692 acres). Areas closed to salable minerals would total 171,403 acres.

Special Designations: Six existing ACECs would be continued. Four potential ACECs would be designated. No back country byways would be designated. The 1/2 mile segment of the Marias River at the confluence of the Missouri River would be recommended as unsuitable for inclusion in the National Wild and Scenic Rivers System.

Wilderness Characteristics: The BLM would manage 2 areas (10,714 acres) to protect wilderness characteristics as a priority over other multiple uses and would apply management restrictions to reduce impacts to wilderness characteristics on 290,865 acres.

Wildlife

Grassland Bird/Greater Sage-Grouse Priority Areas: To minimize habitat fragmentation, two areas with BLM surface ownership would be managed to retain intact blocks of native vegetation. One of these areas is also a sage-grouse core area identified by MFWP. These two areas would include 298,772 acres of BLM surface.

Greater Sage-Grouse Protection Priority Area: To minimize wildlife habitat fragmentation, an area with BLM surface ownership greater than 50% would be managed to retain intact blocks of native vegetation where contiguous acreage of greater than 10,000 acres is present. This would include 930,265 acres of BLM surface.

Preferred Alternative

Alternative E has been identified as the preferred alternative. A more complete overview of Alternative E, including decisions common to all alternatives, can be found in the text of Chapter 2, Table 2.21, Summary Comparison of Alternatives, and Table 2.22, Summary Comparison of Environmental Consequences. Both tables are located at the end of Chapter 2. Management aspects of the preferred alternative include:

Air Resources

Actions will comply with the Clean Air Act requirements, including the State of Montana Air Quality Implementation Plan, through the use of BMPs. Prescribed burns will be managed to comply with Montana DEQ smoke management rules and regulations.

Cultural Resources

Protection for all cultural resources will occur according to federal laws and BLM regulations and agreements. The BLM must evaluate all proposed actions, initiated or authorized by the BLM, to determine potential effects to historic properties. This evaluation process occurs under Section 106 of the National Historic Preservation Act (NHPA). The BLM must determine, based on inventory and evaluation data, whether the proposed action could impact important cultural resources and, if necessary, take steps to avoid or mitigate possible impacts.

The BLM will consult with Indian tribes when its actions have the potential to affect areas of concern to the practitioners of traditional religions. The activities of concern are those that might degrade the visual or aesthetic nature of an area, or cause the loss of plant species or other resources important to traditional uses. The BLM is required to consult with traditional religious practitioners on policies and procedures to ensure they are considered when implementing agency

actions. This includes consultations with federally recognized Indian tribes as sovereign nations in a government-to-government relationship with the United States.

Little Rocky Mountains Traditional Cultural Property

A portion of the TCP would be closed to oil and gas leasing (32,166 acres). The remaining area (5,936 acres) would be open to leasing with an NSO stipulation.

Through vegetation management or forest health treatments the BLM may restore natural meadows to enhance traditional uses and viewsheds.

The area would be an avoidance area for rights-of-way (30,648 acres).

The area would be an exclusion area for wind energy rights-of-way (30,648 acres).

A portion of the TCP would be closed to solid mineral leasing (e.g., coal) (32,573 acres). The remaining area would be open.

A portion of the TCP would be limited to those mineral material uses necessary for reclamation activities and maintenance of the existing road system (32,055 acres).

Sweet Grass Hills Traditional Cultural Property

The area would be closed to oil and gas leasing (21,275 acres).

The area would be an avoidance area for rights-of-way (7,718 acres).

The area would be an exclusion area for wind energy rights-of-way (7,718 acres).

The area would be closed to solid mineral leasing (e.g., coal) (19,792 acres).

The area is currently withdrawn from locatable mineral entry under the Mining Law until 2017. The BLM would recommend a 20-year extension of the current withdrawal to protect the TCP (19,671 acres).

The area would be closed to solid mineral material sales (e.g., sand and gravel) (19,671 acres).

Fire Management and Ecology

The Bears Paw, Havre Prairie Potholes, Little Rockies, Sun Prairie, and Sweet Grass Hills FMUs would be managed as Category B, where unplanned fire is likely to cause negative effects but prescribed fire treatments may be used to reduce fuels, improve land health, and restore fire regimes. Prevention and education activities are emphasized in this category as well as fuels reduction treatments.

The Malta Breaks and Malta Prairie Potholes FMUs would be managed as Category C, where fire is desired to manage ecosystems but ecological, social, or political conditions create constraints on the use of wildfire for resource benefit. Suppression may be required in Category C areas. The emphasis in this category is to reduce hazardous fuels accumulations and to restore or maintain land health and fire regimes. Prevention and education activities target recreation areas and Wildland Urban Interface (WUI) areas.

Wildfires would be suppressed in both Category B and C areas. If the conditions described above change in Category C areas, suppression strategies would be reevaluated to include use of wildfire for resource benefit. Changes would be developed and implemented through coordination with state, local, tribal, and other federal agencies.

Fish

New reservoirs would be analyzed for fish habitat potential. New and existing designated fishing reservoirs would be maintained and/or improved. All fishing reservoirs would be maintained as fisheries with Montana Fish, Wildlife and Parks (MFWP) concurrence. Fish stocking would be coordinated with MFWP.

An aquatic resource survey and monitoring plan would be developed to identify areas for special management to protect and/or improve aquatic habitats. Fish-bearing streams would be surveyed/monitored as conditions warrant. Fishing reservoirs would be surveyed/monitored to determine actions needed to sustain viable fishing reservoirs.

To the extent possible, roads would be located, designed and maintained to reduce sedimentation, identify and remove unnatural barriers, eliminate fish passage barriers, and maintain/restore riparian vegetation. Culverts and other stream crossings would be analyzed for fish passage and would be made passable as opportunities arise.

The BLM would encourage opportunities for fisheries through coordination with MFWP, public schools and/or the public through development of fishing opportunities and aquatic educational programs.

Fluid Minerals

The existing oil and gas leases (941,664 acres) will continue according to the respective stipulations until they expire. As these leases expire, the areas will come under the management guidelines of the approved resource management plan. New surface use stipulations (including timing limitation stipulation (TLS), controlled surface use (CSU), and no surface occupancy (NSO)) cannot be applied to existing oil and gas leases or other existing valid use authorizations such as rights-of-way. Site-specific actions such as APDs and rights-of-way in areas with existing oil and gas leases will be allowed, subject to surface use stipulations and best management practices.

All lands would be open to geophysical exploration, subject to appropriate resource surveys, surface protection measures, adequate bonding, and adherence to State of Montana standards (ARM, 36.22.5) for geophysical operations.

Approximately 1,711,378 acres (49%) of federal minerals would be open to leasing subject to major constraints (NSO); 1,460,096 acres (42%) would be open to leasing subject to minor constraints (TLS and CSU); and 167,273 acres (5%) would be open to leasing subject to standard lease terms only. Approximately 152,702 acres (4%) of federal minerals would be closed to leasing. This includes the Bitter Creek WSA, Burnt Lodge WSA, Sweet Grass Hills TCP, a portion of the Little Rocky Mountains TCP, and the Azure Cave ACEC.

Forests and Woodlands

The BLM would offer forest products as opportunities arise. The annual sale of timber would not exceed the probable sale quantity (PSQ) of 650 MBF per year along with 4,000 tons of biomass per year. Management of old growth stands would follow the Old-Growth Forest Types of the Northern Region (USFS 1992) for overall guidance and direction.

The Burnt Lodge and Bitter Creek WSAs would not be available for sale of wood products. This includes personal use wood products (e.g., Christmas trees, firewood, post and poles).

The BLM would allow for a full range of forest health treatments in the Sweet Grass Hills ACEC that may include the sale of wood products. Landscape-level projects that focus on forest health rather than product quantity allow for an array of silvicultural treatments that mimic ecological processes. The sale of wood products resulting from forest health treatments would be a secondary benefit and would not be a reason for undertaking the treatments. The ACEC would not be open for incidental personal use wood products.

As forest health treatments and/or natural disturbances take place that reduce the risk of dangerous and high severity fire events, suppression strategies may adjust to become more cost effective. Additionally, as forest treatments occur that result in conditions that approach their historical fire regimes, natural fire may be managed for the benefit of the forested resource.

Lands and Realty

Land Ownership Adjustment

All lands within special management areas (WSAs, ACECs, etc.) would be designated as Category 1 (retention) lands (296,881 acres).

BLM lands designated as Category 3 (disposal) includes 14,129 acres. The remaining BLM lands would be designated as Category 2 (retention/limited disposal) lands (2,126,428 acres).

Lands or interests in lands brought forward by willing landowners would be considered for acquisition provided they meet one or more of the acquisition criteria. The offered lands surrounded by or adjacent to BLM lands in Category 1 would be considered acquisition priorities over lands surrounded by or adjacent to BLM lands in Category 2. Newly acquired lands that meet retention criteria (Category 1) would be designated as retention lands; all other acquired lands would be designated as Category 2. No lands meeting Category 3 criteria would be considered for acquisition.

The need to protect newly acquired lands would be considered as part of the environmental review prior to acquisition and, if withdrawn, the lands would be managed under the terms and conditions of the withdrawal.

Federal minerals underlying non-federal surface would generally be retained in federal ownership. However, an exchange of this type of mineral estate may be considered on a case-by-case basis if found to be in the public interest. The sale of this type of mineral interest under section 209(b) of FLPMA could be considered only if the requirements of this same section were met. Conversely, the acquisition of patented mining claims would also be addressed on a case-by-case basis.

Land tenure adjustments would follow BLM guidance and policies for acquisitions and disposals. It is not the intention of the BLM to have a net gain in federal ownership, but rather to provide exceptional national public lands that are accessible to the public.

Access

Legal public or administrative access would be pursued from willing landowners on a case-by-case basis as the need or opportunity arises. Acquisition efforts would be focused on Category 1 and 2 lands where no legal public access exists or where additional access is necessary to meet management objectives.

Rights-of-Way, Leases and Permits

Corridors

Five utility and transportation corridors would be designated: U.S. Highway 2, U.S. Highway 87; U.S. Highway 191; and State Secondary Highway Nos. 24 and 325. The corridor for U.S. Highway 191 would exclude the Big Bend of the Milk River ACEC. The corridors would be available for all uses (e.g., powerlines, pipelines). The corridor width would be restricted to one mile, or one-half mile from the centerline. These corridors would include 19,884 acres of BLM land. Applicants for new utility and transportation rights-of-way would be encouraged to locate their facility within one of these corridors.

Within the Bitter Creek WSA, management of the Northern Border Pipeline right-of-way would be subject to guidance that protects the resource values for which the WSA was designated. Within the Frenchman ACEC, management of the Northern Border Pipeline right-of-way would be subject to guidance that protects the resource values of the area.

Exclusion Areas

The Bitter Creek and Burnt Lodge WSAs would be exclusion areas, subject to the existing Northern Border Pipeline right-of-way within the Bitter Creek WSA. If the Bitter Creek WSA is not designated by Congress as wilderness, the area would remain an exclusion area. If the Burnt Lodge WSA is not designated by Congress as wilderness, the area would become an avoidance area.

Avoidance Areas

The BLM would designate 19 avoidance areas for the issuance of rights-of-way. In these areas, efforts would be made to reroute a proposal. A right-of-way may be allowed if no reasonable alternative is found; however, special mitigation measures may be required to protect sensitive resource values. Rights-of-way may also be allowed if they support or promote other management objectives for the area.

During site-specific planning, riparian areas with unique values (i.e.; where water quality habitat for special status species is an issue) would be treated as avoidance areas for rights-of-way (installation of infrastructure that requires surface disturbance and/or permanent surface occupancy).

Unauthorized Use

The HiLine District attempts to reduce trespass through prevention, detection, and resolution. The priority for resolving trespass in an area is accorded to newly discovered ongoing uses, developments, or occupancies where resource damage is occurring and/or where there is a significant loss of revenue to the United States. In such cases, resolution is needed to halt and prevent further environmental degradation or revenue loss. Historic trespass cases where little or no resources damage is occurring are resolved as workloads permit.

Withdrawals

New withdrawals will be pursued where other agency actions are inadequate to protect critical resource values or federal investments. Examples of such resource values include cultural or historic sites, crucial habitat for threatened and endangered species, or scenic values. Federal investments that may need the protection of a withdrawal could include administrative sites or extensively developed recreation areas. New withdrawals would include only the minimum area required to meet the purpose of the withdrawal.

New withdrawal proposals that result in a transfer of jurisdiction to another federal agency will be considered on a case-by-case basis. Other agency requests for new withdrawals, or modification, extension, or revocation of existing withdrawals will be considered.

Existing withdrawals will be reviewed prior to their expiration to determine if a need exists to extend and/or modify the withdrawal. Should the review indicate that the purpose for which the lands were withdrawn is no longer valid, the withdrawal would be allowed to expire. If the purpose remains valid for a portion of the withdrawn lands, the withdrawal would be modified and extended.

Existing and new proposed mineral withdrawals are addressed under the section Solid Minerals – Locatables in Chapter 2.

If lands are returned to BLM management through the withdrawal process, they will be managed consistent with adjacent public lands.

Livestock Grazing

Livestock will continue to be allocated approximately 386,600 animal unit months (AUMs) of forage each year from BLM land in the planning area. Approximately 2,394,000 acres will be open to livestock grazing and 47,000 acres will be closed to livestock grazing except as needed for resource management.

Actions consistent with achieving or maintaining the Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota (BLM 1997a) will continue to be incorporated into livestock grazing permits and leases and will apply to all livestock grazing activities. Under the grazing regulations if Standards are not met the authorized officer will take appropriate action as soon as practical but not later than the start of the next grazing season upon determining that grazing management needs to be modified to ensure progress toward conformance with the guidelines (43CFR 4180.2(c)(3)). A no grazing alternative will be considered in all environmental assessments prepared as part of the grazing permit renewal process (IM No. MT-2012-042).

Developed recreation sites will not be allocated for livestock grazing.

Existing Allotment Management Plans (AMPs) will continue to be implemented including associated range improvement projects. AMPs will be updated and revised in response to monitoring and/or permit transfers. New AMPs will be developed and implemented to direct site-specific management of livestock grazing after completion of rangeland health assessments.

Livestock grazing will be managed through monitoring of AMPs or similar grazing plans and supervision of grazing use as provided under the grazing regulations. Adjustments to livestock management practices or livestock numbers including increases or decreases would be made based on results of monitoring studies, rangeland health assessments, allotment evaluations, and through an environmental review process. Cooperative efforts to utilize permittee/lessee monitoring will be emphasized.

If monitoring data demonstrate that livestock use on an allotment in a priority greater sage-grouse area is adversely affecting greater sage-grouse or their habitat, the terms and conditions of grazing permits may be modified (43 CFR 4130.3, 4130.3-1, 4130.3-2), or changes in active use (43 CFR 4110.3-3) could be considered in order to meet the standards for rangeland health as described in 43 CFR 4180 and the Lewistown Standards for Rangeland Health and Guidelines for Livestock Grazing Management or to otherwise manage, maintain, or improve sage-grouse habitat.

Appropriate indicators and measurements specific to habitat for greater sage-grouse, or any other wildlife species of concern, would be evaluated as part of standards and guidelines assessment (43 CFR 4180) and any necessary and appropriate habitat objectives specific to meeting the wildlife health standard for the site would be identified and incorporated into AMPs or the terms and conditions (43 CFR 4130.3, 4130.3-1, 4130.3-2) of livestock grazing permits.

Most unpermitted parcels would remain available for livestock grazing. The Little Rocky Mountains Allotment No. 05630 and Whitewater Lake Allotment No. 05068 would remain closed to livestock grazing except as needed for resource management. The Cree Crossing Allotment No. 05302 adjacent to the Milk River would remain closed to livestock grazing for recreation values. The 15 Mile Trailing Allotment No. 06237 would be closed to livestock grazing except as needed for livestock trailing purposes.

Allotments within the Greater Sage-Grouse Protection Priority Area and the Grassland Bird/Greater Sage-Grouse Priority Areas would be high priority for reassessment of land health standards and processing grazing permit renewals as detailed in Appendix M, Mitigation Measures and Conservation Actions for Greater Sage-Grouse Habitat.

Allotments within priority habitat areas for sage-grouse where grazing preference is relinquished or cancelled would be evaluated in a site-specific NEPA document to determine if they should be closed to grazing, designated as reserve common allotments, or reassigned.

In cases where the use would substantially differ from that authorized in the previous grazing permit/lease, other factors have developed to change the management circumstances, or land health standards are not being met because of livestock grazing, a site-specific interdisciplinary environmental review would be undertaken.

Newly acquired lands would be evaluated to determine if they should be designated as reserve common allotments, allocated for grazing, or designated as unavailable for livestock grazing in consideration of the management needs and objectives for the acquisition, with the exception of lands covered under 43 CFR 4110.1-1 (e.g., where lands have been acquired through purchase or exchange, and an agreement provides that the BLM would honor existing grazing permits or leases).

Allotments outside of priority sage-grouse habitat where grazing preference is relinquished or cancelled would remain in active use as defined under 43 CFR 4100.0-5 and available for livestock grazing. These specific allotments could be evaluated to determine if they should be designated as reserve common allotments to provide livestock forage to permittees whose allotment(s) undergo rest or improvements, and might be used when drought, fire, flood, or other unplanned needs make normal allotments unusable. If a reserve common allotment is designated, an activity plan would be developed that identifies how the allotment would be managed to maintain rangeland health and the procedures for selecting an applicant to use the allotment.

Yearling factors would be considered.

Noxious Weeds and Other Invasive Non-Native Species

Montana state and county-designated noxious weeds will be managed according to current federal, state, and local weed management plans.

The BLM will continue cooperative agreements with state and county entities and will coordinate with other federal, state, and county agencies, weed management areas, and private landowners and organizations.

Weed seed free forage will be used on BLM land. Forage subject to this rule includes hay, grains, cubes, pelletized feeds, straw, and mulch. Reclamation/stabilization and maintenance materials used will be from weed seed free sources to the extent practicable.

Other resource programs would assist in invasive species management through project planning and program implementation. This would include integrating prevention measures in program activities to reduce the spread of invasive species and mitigation measures. The BLM will coordinate with MFWP to address prevention of and potential infestations of Aquatic Nuisance Species.

Pest management including the use of pesticides is conducted on a case-by-case basis consistent with NEPA analysis.

Off-Highway Vehicle Use and Travel and Transportation Management

Motorized travel in the Bitter Creek WSA (60,701 acres) and Burnt Lodge WSA (13,727 acres) will continue to be limited to designated vehicle ways under all alternatives.

OHV Area Designations

The Glasgow OHV area (40 acres) would remain designated open to OHV use off roads and trails.

The Fresno OHV area (125 acres) would remain designated open to OHV use off roads and trails. The boundary of the OHV area would be increased from 84 acres to 125 acres to more closely follow topography of the area and incorporate the existing system of trails. Through travel management planning the BLM would address the need for seasonal restrictions, and/or an adjustment of the boundary of the OHV area to address resource values and conflicts of use. During travel management planning a paleontological inventory would be conducted to determine appropriate boundaries, access and parking areas.

The Sweet Grass Hills ACEC (7,429 acres) would be closed to OHV use.

The remaining BLM land would be designated as limited. In these areas travel would be on existing roads and trails (2,429,885 acres).

Cross-country over-snow vehicle use in the planning area (including snowmobiles) would be allowed, except in crucial winter range areas (110,040 acres). Over-snow vehicles would be subject to the following management guidelines: avoid locations where wind or topographic conditions may have reduced snow depth and create situations where damage to vegetation or soils could occur, or where the majority of vegetation is taller than the protective snow cover. Sensitive areas could be closed to motorized snow vehicle travel if resource damage is found to be occurring in these areas.

The use of motorized vehicles, including OHVs, to retrieve game off road would not be allowed, regardless of individual possession of a Montana Disabled Hunting License, in limited or closed areas unless designated through travel management planning. Options for off-road game retrieval could include designating the types of vehicles that may be used, times of day, limited motorized off-road travel or motorized travel on closed roads and would apply to all individuals with a legally taken game animal.

Travel Management Areas

Nine travel management areas would be prioritized into the following categories for travel management planning:

High:

- Grassland Bird/Greater Sage Grouse Priority Areas and Frenchman (415,875 acres)
- Greater Sage-Grouse Protection Priority Area and Eastern Breaks and Badlands (997,338 acres)
- Little Rocky Mountains (27,688 acres)

Moderate:

- Fresno area (885 acres; includes the 125 acre OHV area plus additional BLM lands in the vicinity)
- Marias River area (19,032 acres)
- North Missouri Breaks (101,523 acres)

Low:

- Remaining BLM lands (875,133 acres)

Paleontological Resources

The BLM will identify and prioritize high probability paleontological locations for inventories and information attained will guide management decisions. Paleontological assessments will be completed for all projects proposed on federal lands to determine the need for further paleontological inventories.

The BLM will develop a resource awareness program to enhance the public appreciation of paleontological resource values. This includes coordination with permitted universities and museums. Paleontological research and education opportunities will be pursued for high priority areas.

Lands exhibiting the highest site density and/or high Potential Fossil Yield Classification (PFYC) will be used to establish priorities for paleontological inventory.

The collection of petrified wood and invertebrate fossils for personal use will be allowed as limited by the regulations (43 CFR 3620 and 8365) in areas not specifically closed.

Public Safety

Abandoned Mine Lands

The closure of dangerous inactive and abandoned mine sites will be designed to reduce the risks to human health and safety, restore the environment, and protect geological and cultural resources. Reclamation will be implemented at the highest risk sites first. Where deemed appropriate, the BLM will restore severely impacted soils and watersheds as close as possible to pre-disturbed conditions that support productive plant communities and ensure properly functioning watersheds.

Restoration and reclamation activities and repositories will be monitored to determine effectiveness of reclamation practices.

Hazard Class Dams

Construction and maintenance priorities for hazard class dams will be in conformance with applicable laws and regulations, and BLM policy. Condition assessments and Emergency Action Planning will be performed as required by the latest version of the 9177 (Dam Safety) manual section and associated handbooks. The results of the condition assessments will be reviewed to determine the need for reconstruction, maintenance or disposal.

Hazardous Materials

The BLM will comply with all federal environmental and safety laws and regulations governing storage, handling, and use of hazardous materials and governing disposal of hazardous waste. The BLM will also comply with state hazardous materials laws and regulations as required.

Disposal of hazardous materials on public lands will generally not be permitted. When the use or storage of hazardous materials is authorized (i.e., in mining operations, pesticide application or other types of commercial activities) special stipulations will be applied to comply with appropriate laws, regulations, and policies. In the event of hazardous materials incidents on public land, standard operating procedures will be used to respond. Cleanups and reclamation will be conducted in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan and the NEPA or Removal Site Evaluation (RSE) / Engineering Evaluation Cost Analysis (EECA) decision.

The BLM will promote and support the appropriate use and recycling of hazardous materials in public facilities and on public land to prevent or minimize the generation and disposal of hazardous wastes.

Environmental site assessments will be conducted for land acquisitions, land disposals, and for rights-of-way if applicable. Land uses will be authorized and managed to reduce the occurrence and severity of hazardous materials incidences on public land.

The BLM will assess level of risk at hazard sites and conduct remediation at highest priority sites that are the greatest risks to the public and environment.

Recreation

Recreation Opportunity Spectrum

Recreation users will be limited to 14-day camping stays at developed campgrounds. No variances to the 14-day camping limit will be allowed. Personal property of recreational users cannot be left unattended in developed campgrounds for more than 24 hours.

Recreation users will also be limited to 16-day camping stays on undeveloped lands (dispersed camping) (75 FR 30850-30852), or as determined by any supplementary rules published in the Federal Register. This does not apply to locations that contain structures or capital improvements (such as boat launch sites, picnic areas, and interpretive centers) and that are used primarily by the public for recreational purposes. Examples of such locations include developed campgrounds, designated recreation areas, and special recreation management areas. The BLM regulates the use and occupancy at such developed locations in accordance with 43 CFR 8365.2-3.

The BLM will establish and maintain information kiosks with brochures, interpretive and educational information, site maps and regulations, and important contacts.

Periodic accessibility, safety, and condition assessments will be conducted in accordance with Bureau policy at developed recreation sites and prioritized available funds to resolve deferred and corrective maintenance needs.

The “Leave No Trace” and “Tread Lightly” practices will be promoted to enhance the sustainability of resource-based activities.

The BLM will work cooperatively with other agencies (e.g., MFWP) to identify and sign BLM lands to provide more recreational opportunities in areas with limited public access and/or confusing ownership boundaries. Signs must be placed according to current boundary marking standards (BLM Manual 9130).

The BLM would modify the existing Recreation Opportunity Spectrum (ROS) classification to accommodate the other proposed resource allocations under the range of alternatives.

The BLM would issue special recreation use permits as appropriate for commercial, competitive, and special events subject to guidelines in BLM Handbook 2930, resource capabilities, social conflict concerns, professional qualifications,

public safety, and public needs. New permits would not be authorized that directly conflict with permitted uses and existing permits would be given preference. Through plan implementation, changes in demand for permits and resulting impacts would be monitored and thresholds identified that could lead to limits in the number of permits to minimize impacts to the resources, public safety, and overall visitor satisfaction.

Recreation sites and facilities would be maintained and managed to promote resource value protection, public safety and health, quality facilities, visitor experiences, management efficiency, and value-based returns. Expansion of existing sites and development of new sites would take into consideration public demand, resource constraints, and management capabilities through an environmental review process. Priority would be given to new sites that have partnership funding strategies and are consistent with established management guidelines.

The BLM would work cooperatively with other agencies (e.g., MFWP) to identify and sign BLM lands to provide more recreational opportunities in areas with limited public access and/or confusing ownership boundaries. Signs must be placed according to current boundary marking standards (BLM Manual 9130).

Recreation Management Areas

The majority of lands within the planning area will be managed as an LND for dispersed recreational experiences associated with hunting, fishing, wildlife viewing, pleasure driving, camping and picnicking. The BLM will manage this area in a custodial manner to ensure quality of experience and enjoyment of natural and cultural resources.

The existing recreation facilities (fishing reservoirs and watchable wildlife areas) within the LND will be maintained in a custodial manner and enhanced only as needed to meet recreational demands that are associated with resource protection, and public health and safety requirements. New recreation facilities could be considered but should be a lower priority for implementation than those proposed for SRMAs and ERMA and should resolve specific conflicts of use.

The BLM would manage one SRMA, the Little Rocky Mountains SRMA. The remainder of the planning area would be managed as an ERMA.

Recreation Management Zones

The BLM would manage two SRMAs (Glasgow OHV and Little Rocky Mountains) and ten ERMAs (BR-12, Cottonwood Riparian Area, Faraasen Park, Fresno OHV, Marias River, Paulo Fishing Reservoir, South Phillips Recreation Complex, Sweet Grass Hills ACEC, Timber Creek Ridge, and Troika Fishing Reservoir). The remainder of the planning area would be managed as an LND.

The BLM would allocate three Recreation Management Zones within the Little Rocky Mountains Special Recreation Management Area.

Due to its limited size (40 acres) and uniformity in recreational opportunities throughout, the Glasgow OHV Special Recreation Management Area would not be divided into management zones.

Zortman Recreation Management Zone (1,108 acres)

- **Recreation Setting:** Provides full service facility-based camping in a ponderosa pine rural setting near the small rural community of Zortman.
- **Primary Activities:** Overnight developed camping, day use picnicking, wildlife viewing, recreational gold panning, hiking, horseback riding, and OHV and ATV use.
- **Recreation Management Objective:** Maintain and enhance the facilities at the Camp Creek Campground, Horse Corral Campground, and Buffington Day Use Picnic Area as needed to meet recreational demands and comply with public health and safety requirements. Specific areas within this zone could be set aside for recreational gold panning through coordination and/or partnership with the local community.

Landusky Recreation Management Zone (107 acres)

- Recreation Setting: Provides small facility-based camping in a ponderosa pine rural setting near the very small rural community of Landusky.
- Primary Activities: Overnight developed camping, wildlife viewing, hiking, and OHV and ATV use.
- Recreation Management Objective: Maintain and enhance the facilities at the Montana Gulch Campground as needed to meet recreational demands and comply with public health and safety requirements.

Little Rockies Recreation Management Zone (26,473 acres)

- Recreation Setting: Provides an excellent back country experience for dispersed camping, wildlife viewing, hiking, horseback riding, and OHV and ATV use opportunities in a ponderosa pine roaded natural setting.
- Primary Activities: Dispersed camping, hiking, horseback riding, hunting, fishing, OHV and ATV use.
- Recreation Management Objective: Provide for dispersed back country experiences for both nonmotorized and motorized recreational activities. Emphasize the “Leave No Trace” and “Tread Lightly” programs to aid in minimizing the conflicts of use between motorized and nonmotorized BLM land users.

Recreation Sites

The BLM would manage 49 recreation sites and facilities. Some of the existing fishing reservoir recreation sites (24 sites) would not be managed due to poor habitat and/or insufficient water capacity. Those reservoirs that lack water during dry periods would be considered for fish stocking in good water years.

Recreation sites and facilities would be maintained and managed to promote resource value protection, public safety and health, quality facilities, visitor experiences, management efficiency, and value-based returns. New sites could be developed commensurate with public demand, resource constraints, and management capabilities. Priority would be given to new sites that have partnership funding strategies and are consistent with established management guidelines.

Renewable Energy Resources

Solar and wind energy exploration and development authorization would be subject to the same laws, regulations, and guidelines as other commercial rights-of-way. Terms and conditions for authorizations including site testing, monitoring and development will incorporate applicable BMPs, current professional practice, and recent scientific findings.

Biomass

The BLM will explore opportunities to provide a reliable and sustainable supply of woody biomass that may be made available from BLM land in the planning area. Biomass can be used to produce bio-energy and/or bio-based products such as plastics, ethanol, and diesel. Biomass can also be used to produce the full range of wood products including lumber, composites, paper and pulp, furniture, housing components, and round wood.

Geothermal

BLM lands in the planning area will be available for geothermal leasing, unless located within the Burnt Lodge or Bitter Creek WSAs or in instances where it is determined that issuing the lease would cause unnecessary or undue degradation to BLM lands or resources. No Known Geothermal Resource Areas (KGRAs) are located in the planning area. (A region identified by the U.S. Geological Survey as containing geothermal resources. New leasing regulations no longer use KGRAs as a basis for the leasing process.)

Stipulations for oil and gas leases will be applied to geothermal leases; however, the stipulations may need to be modified through further environmental review since geothermal exploration and production activity is different than oil and gas.

Geothermal projects will be designed and developed in accordance with the Geothermal Leasing in the Western United States Programmatic EIS (BLM and USFS 2008). A site-specific environmental analysis will be prepared for any proposed exploration or development of geothermal resources. The analysis will address the application of stipulations and develop any additional mitigation measures over and above the lease stipulations required.

Solar

Opportunities for solar development will be provided consistent with the other goals, objectives, and requirements of this plan. Applications for solar energy projects will be processed and authorized as rights-of-way under Title V of FLPMA. Utility-scale concentrating solar power or photovoltaic electric generating facilities must comply with the BLM's planning, environmental, and right-of-way application requirements as established by BLM guidance (WO IM No. 2011-003) or additional Bureau guidance and/or policy.

Wind

BLM land that is designated as an exclusion area (e.g., WSAs) will not be available for wind energy rights-of-way. As a result, these areas will be closed to commercial wind energy development. This includes wind energy site monitoring and testing.

The use of wind turbines at the Zortman/Landusky mine reclamation area to lower the cost of electricity needed to operate the pumps and water treatment plants was approved under the Final Engineering Evaluation/Cost Analysis (EE/CA) for Water Management at the Zortman and Landusky Mines, and is not discussed or analyzed further in this document.

Wind energy projects will be designed and developed in accordance with the Wind Energy Development on BLM-Administered Lands in the Western United States Final Programmatic EIS and BLM wind energy development policy (WO IM No. 2009-043) and subsequent policy and guidance issued by BLM. Implementation of any proposed management action would ensure that potential adverse impacts to natural and cultural resources would be minimal to negligible through the use of BMPs. Areas available for wind energy development will include mitigation for surface-disturbing and disruptive activities. This mitigation may restrict wind energy development in some areas.

Prior to authorizing any wind energy projects, a site-specific environmental review will be conducted to determine project feasibility, and to address and mitigate impacts. This environmental review will include the appropriate level of public involvement.

About 1% of the planning area (33,119 acres) would be open to wind energy rights-of-way with minor constraints (standard terms/conditions and BMPs) and 36% of the planning area (885,661 acres) would be avoidance areas. Avoidance areas include mitigation for cultural resources, paleontological resources, visual resources, soils, riparian areas, and wildlife consistent with stipulations for surface-disturbing and disruptive activities. Mitigation measures would be applied on a case-by-case basis during project level planning if an evaluation of the project area indicates the presence of important resources. Exceptions may be granted by the authorized officer if an environmental review demonstrates that effects could be mitigated to an acceptable level.

About 62% of the planning area would be exclusion areas for wind energy rights-of-way (1,518,695 acres). This includes the Bitter Creek and Burnt Lodge WSAs, Little Rocky Mountains and Sweet Grass Hills TCPs, ACECs, large reservoirs and waterfowl complexes, some wildlife habitat, developed recreation sites, and National Historic Trails.

Soil Resources

The BLM will evaluate the effects of a proposed surface-disturbing activity to the soil resource using USDA Natural Resources Conservation Service (NRCS) Soil Survey data/interpretations and/or through an onsite investigation; and will apply mitigation measures/BMPs if necessary, relocate the activity to a more suitable soil type, or deny the authorization.

Authorized surface-disturbing activities will include plans for reclamation. Authorization could be denied in areas where erosion cannot be effectively controlled/mitigated and reclamation would likely be unsuccessful.

Solid Minerals

Leasable

The BLM will consider proposals for developing leasable minerals (coal, sulfur, and solid and semi-solid bituminous rock) on a case-by-case basis. Site-specific environmental review will be required to lease these minerals. No areas have been identified with economic reserves to support future leasing analysis.

For solid mineral leasing other than coal and oil shale, prospecting permits will be available for all land not closed to mineral leasing in conformance with 43 CFR 3500. Permits will be issued after appropriate environmental review to assess effects and develop mitigation measures. Discovery of a valuable mineral deposit, within the terms of the prospecting permit, entitles the prospecting permit holder to a preference right lease for mine development and mining.

The BLM would protect sensitive areas by closing them to mineral leasing (1,623,904 acres). Sensitive areas include WSAs, rare and intact important archaeological sites, essential breeding and nesting areas for raptors, a critical bat hibernaculum, significant paleontological areas, priority habitat for grassland birds, and protection priority habitat for greater sage-grouse.

Locatable

Administration of locatable minerals (gold, copper, lead, zinc, silver, bentonite and diamond/kimberlite) on BLM lands will continue as required by law and regulation.

The BLM will coordinate with the Montana DEQ during the review, approval, inspection and reclamation of mining operations. Requirements of all state and federal laws will be met in the management of mining operations.

Terms and conditions will be applied to mining activities (within the constraints of the mining law) to meet land health standards for uplands, riparian areas and wetlands, water quality, air quality, and native plant and animal species.

In areas withdrawn from mineral entry, plans of operations will not be approved unless the Department of the Interior has determined that the mining claims covered by the plan of operations are valid under the Surface Management Regulations at 43 CFR 3809.100.

The BLM would protect sensitive areas by continuing four mineral withdrawals (20,058 acres) and recommending two new withdrawals (24,692 acres). Sensitive areas include a critical bat hibernaculum, developed recreation sites, rare and intact important archaeological sites, and essential breeding habitat for mountain plovers.

The BLM would continue the withdrawal for Azure Cave to protect a critical bat hibernaculum and recommend a 20-year extension for the Sweet Grass Hills withdrawal. The purpose of the withdrawal for the Sweet Grass Hills is to preserve areas of traditional importance to Native Americans, aquifers in the area that provide potable water to local residents, high value habitat for peregrine falcons, and seasonally important elk and deer habitat.

Through the withdrawal review process, the BLM would consider the need for a new withdrawal or right-of-way to promote successful reclamation for the Zortman/Landusky mine reclamation. The area for the withdrawal or right-of-way would be based on the need to maintain and protect the infrastructure associated with the reclamation activities, and would likely not exceed the boundary of the Zortman/Landusky Mine Reclamation ACEC.

The withdrawals for the Camp Creek and Montana Gulch campgrounds would be modified to include the entire recreation sites.

The BLM would recommend revoking the withdrawals for the Landusky Town Site, Landusky Recreation Site, and Zortman Town Site on a case-by-case basis for the potential sale or exchange of the BLM parcels within the withdrawal boundaries.

The following new withdrawals would be proposed to segregate the areas from locatable mineral entry:

- A withdrawal of 24,672 acres in south Valley County (Mountain Plover ACEC) to protect essential breeding habitat for mountain plovers. The area is unique because the hardpan areas along Beaver Creek provide habitat for mountain plovers away from traditional habitat association with prairie dogs.
- A withdrawal of 20 acres to protect the Zortman Cemetery.

Salable (Mineral Material)

The BLM will issue sales contracts for mineral materials (sand, gravel, stone, limestone, and clay) where disposal is deemed to be in the public interest, while providing for reclamation of mined lands and preventing unnecessary or undue impact to other resources. All lands not withdrawn or discretionally closed are available for mineral material disposal. Mineral material permits are considered on a case-by-case basis and issued at the discretion of the authorized officer.

Free use permits may be issued to government agencies or subdivisions and to nonprofit organizations. Materials obtained by a free use permit may not be bartered or sold.

Mineral material sale contracts are valued according to the BLM statewide general appraisal schedule or through individual site-specific appraisals.

Common use areas or community pits will be designated if the level of localized activity warrants. New mineral material sites would be evaluated on a case-by-case basis.

Mineral material sales will be processed on a case-by-case basis. Salable mineral sites will have an approved mining and reclamation plan and an environmental review prior to being opened. Where resource conflicts cannot be adequately mitigated, a permit would be denied. Operating stipulations to protect other resource values will be included in mineral material permits.

The collection of petrified wood and invertebrate fossils for personal use will be allowed as limited by the regulations (43 CFR 3620 and 8365) in areas not specifically closed.

The BLM would protect sensitive areas by closing them to mineral material sales (171,403 acres). Sensitive areas include WSAs, a critical bat hibernaculum (Azure Cave ACEC), significant paleontological areas (Malta Geological ACEC), and essential breeding and nesting areas for raptors (Kevin Rim ACEC).

Abandoned Mine Lands

The closure of dangerous inactive and abandoned mine sites will be designed to reduce the risks to human health and safety, restore the environment, and protect geological and cultural resources. Reclamation will be implemented at the highest risk sites first. Where deemed appropriate, the BLM will restore severely impacted soils and watersheds as close as possible to pre-disturbed conditions that support productive plant communities and ensure properly functioning watersheds.

Restoration and reclamation activities and repositories will be monitored to determine effectiveness of reclamation practices.

Special Designations

Areas of Critical Environmental Concern (ACECs)

Existing ACECs

Azure Cave ACEC

The BLM will retain Azure Cave as an ACEC (142 acres) to protect cave resources and potentially the northernmost bat hibernaculum in the United States. The cave will be managed to protect bats during crucial hibernation periods and allow specific use on a limited basis. Any cave access would need to consider appropriate time periods, white nose syndrome, and management activities to protect the bats.

The area will remain closed to oil and gas leasing and the BLM will continue the withdrawal from mineral entry and location.

The area would be an avoidance area for rights-of-way and an exclusion area for wind energy rights-of-way.

To protect the cave and critical bat hibernaculum the area would be closed to solid mineral leasing and mineral material sales.

Big Bend of the Milk River ACEC

The BLM will retain the Big Bend of the Milk River ACEC (1,972 acres) to protect the diverse cultural resources and historic sites representing bison hunting and prehistoric ceremonial use of the Northwestern Plains. Two National Register eligible sites are located within the Big Bend of the Milk River ACEC: Henry Smith and Beaucoup.

The Henry Smith site (1,000 acres) has been allocated for Public Use. The site will be inventoried for cultural resources, and mapping and/or collecting data will be completed as necessary.

The Beaucoup site (1,120 acres) has been allocated for Scientific Use. The site will be inventoried for cultural resources. All resources will be mapped, collected and excavated as necessary for relevant archaeological data.

The area will include an NSO stipulation for oil and gas leasing and the area will remain closed to solid mineral leasing.

The area would be an avoidance area for rights-of-way and an exclusion area for wind energy rights-of-way.

The BLM would not recommend a withdrawal from mineral entry and location. The area would be closed to solid mineral material sales.

Bitter Creek ACEC

The BLM will retain the Bitter Creek ACEC (60,701 acres) to protect the scenic diversity qualities found within the Bitter Creek watershed. If the Bitter Creek WSA is released by Congress, an ACEC management plan would be completed consistent with management direction. Until an ACEC management plan is completed the area would be managed consistent with the Interim Management Policy and Guidelines for Lands under Wilderness Review as appropriate.

The area will remain closed to oil and gas leasing until an ACEC management plan is completed that would address leasing (60,717 acres).

The area would be an avoidance area for rights-of-way.

The area would be an exclusion area for wind energy rights-of-way.

The area would be open to solid mineral entry and location.

The area would be closed to solid mineral material sales.

Kevin Rim ACEC

The BLM will retain the ACEC (4,557 acres) to protect the diverse archeological resources and significant raptor habitat.

The area includes an existing communication site. The ACEC will be an avoidance area for rights-of-way.

The area would include an NSO stipulation for oil and gas leasing.

New communication facilities should be located at the existing communication site, rather than a new location on Kevin Rim.

The area would be an exclusion area for wind energy rights-of-way.

The area would be closed to solid mineral leasing and mineral material sales.

The area would be open to mineral entry and location.

Mountain Plover ACEC

The BLM will retain the ACEC to protect the mountain plover habitat (24,762 acres). The ACEC includes two habitat areas for the mountain plover. The primary habitat is the hardpan area on the valley bottoms (12,000 acres). The secondary habitat areas are on the gentle rises on either side of the valleys.

The following mitigation measures will be considered for any oil or gas well completed as a producer:

- Production facilities would be located off the primary habitat (hardpan areas) within the ACEC. Facilities include, for example, the treater and the storage tanks. The pump unit would not be included.
- Pipeline and road construction would not be allowed from April 1 to July 31 in the primary habitat.
- Special projects (e.g., workover rigs, pipeline maintenance) during the period April 1 to July 31 would require an inventory to determine if occupied nesting habitat occurs. The inventory would have to be completed by a qualified biologist using BLM-approved procedures. If occupied nests are within 1/4 mile of the proposed activity, mitigation could include the use of a temporary road or with travel in the early morning or late afternoon, but no travel from 11:00 a.m. to 4:00 p.m. If no occupied nests are within 1/4 mile of the proposed activity, special mitigation measures would not apply.

The following mitigation measures will be considered during the Plan of Operations approval process for bentonite exploration and development. Mitigation measures will be applied to prevent unnecessary or undue degradation:

- Seasonal restrictions would be recommended on surface-disturbing activities from April 1 to July 31 on a case-by-case basis to prevent unnecessary or undue degradation. Proposed surface-disturbing activities during the period April 1 to July 31 would require an inventory to determine if occupied nesting habitat occurs. If occupied nests are within 1/4 mile of the proposed activity, the BLM would work with the operator to relocate the proposed activity or limit the size and duration of the disturbance. If no occupied nests are within 1/4 mile of the proposed activity, special mitigation measures would not apply.
- Alternative location of facilities would be off the primary habitat (hardpan areas) within the ACEC.
- Access route design for exploration and development would minimize surface disturbance to avoid occupied nesting habitat.

- Concurrent reclamation would be emphasized to keep disturbance to a minimum, thereby reducing habitat loss. Concurrent reclamation is the method of reclamation where topsoil removed from an area about to be mined is either directly and immediately reapplied to the adjacent mined area; or the topsoil is applied to the area it was removed from within a short time (1-2 months). Concurrent reclamation provides the greatest opportunity to return the native plant community to the site by preserving the seeds, roots and soil microorganisms. The topsoil material is only about 1-2 inches thick over shale in most places. Within this thin layer are all the ingredients to reestablish the native plant community. If concurrent reclamation is not used, reclamation should be within at least 2 years. The goal of reclamation would be to keep the vegetation short with bare ground.
- Reclamation would utilize native plant species. Preference would be given to plants that are low growing.

All right-of-way grants within the primary habitat will include the following stipulation:

- Construction activity and surface disturbance will be prohibited during the period from April 1 to July 31 for the protection of mountain plover nesting habitat. Any exceptions to this requirement must have prior written approval from the authorized officer, except for emergency actions.

Other mitigation measures will be considered on a case-by-case basis with appropriate stipulations from BLM Manual Handbook H-2801 incorporated into the right-of-way grant.

The BLM will minimize any road construction within the ACEC. Portions of the Beaver Branch and Arrambide roads will be recommended for re-routing to reduce erosion and avoid mountain plover nesting habitat. Any BLM road maintenance during the time period April 1 to July 31 within the ACEC boundaries will be coordinated with a wildlife biologist.

Current management for livestock grazing will continue but any changes or revisions based on Standards for Rangeland Health and Guidelines for Livestock Grazing Management would address mountain plover habitat.

The area would be closed to oil and gas leasing.

The area would be an avoidance area for rights-of-way and an exclusion area for wind energy rights-of-way.

The BLM would recommend a withdrawal from solid mineral entry and location. The area would be closed to solid mineral leasing and mineral material sales.

Prairie Dog Towns within the 7km Complex ACEC

The BLM would not retain the Prairie Dog Towns within the 7km Complex ACEC. Management of prairie dog habitat would be consistent with the Wildlife section of this RMP.

Sweet Grass Hills ACEC

The BLM would retain the ACEC (7,419 acres) to protect the diverse archeological resources. Management of the area would primarily focus on preserving areas of traditional spiritual importance to Native Americans, aquifers in the area that provide potable water to local residents, high value habitat for peregrine falcons, and seasonally important elk and mule deer habitat.

The area would be closed to oil and gas leasing.

The BLM would allow for a full range of forest health treatments in the Sweet Grass Hills ACEC that may include the sale of wood products. The ACEC would not be open for incidental personal use wood products.

The area would be an avoidance area for rights-of-way and an exclusion area for wind energy rights-of-way.

The area would be closed to OHV use. Off-road travel for administration of a federal lease or permit would be granted, unless specifically prohibited.

The BLM would recommend a 20-year extension to the withdrawal from solid mineral entry and location to preserve areas of traditional spiritual importance to Native Americans, aquifers in the area that provide potable water to local residents, high value habitat for reintroduction of peregrine falcons, and seasonally important elk and deer habitat.

Part of a Bureau of Reclamation withdrawal (532 acres) was recommended for termination in a withdrawal review effort (May 1993) since the withdrawal is no longer serving the purpose for which it was withdrawn. The remaining 40 acres was recommended for a 20-year term modification (May 1993) since it is serving the purpose for which it was withdrawn by providing for a current and future riprap quarry for Tiber Reservoir. However, under this alternative the 40 acres would be recommended for withdrawal termination since the continued use of the riprap quarry would be incompatible with the resource values being protected by the ACEC.

The area would be closed to solid mineral leasing and mineral material sales.

Potential ACECs

Frenchman ACEC

The area would be designated an ACEC (42,020 acres) to maintain the unique landscape and scenic characteristics and protect the fragile watershed and wildlife species from fragmentation.

The area would include an NSO stipulation for oil and gas leasing to protect the fragile watershed and crucial winter range.

The area would be an avoidance area for rights-of-way and an exclusion area for wind energy rights-of-way.

The area would be closed to solid mineral leasing and mineral material sales.

Grassland Bird/Greater Sage-Grouse Priority Areas ACEC

The areas would not be designated an ACEC.

Greater Sage-Grouse Protection Priority Area ACEC

The area would not be designated an ACEC.

Little Rocky Mountains ACEC

The area would not be designated an ACEC.

Malta Geological ACEC

The area would be designated an ACEC (6,153 acres) to preserve the significant paleontological values for scientific inquiry. Other uses would be constrained by measures needed to protect paleontological resources for scientific study. Personal collection of common fossils would not be allowed (Public Law 111-11, Section 6304(e)).

The area would include a CSU stipulation for oil and gas leasing.

The area would be an avoidance area for rights-of-way and an exclusion area for wind energy rights-of-way to preserve the shallow subsurface paleontological resources.

The area would be closed to solid mineral leasing and mineral material sales. The BLM would not recommend a withdrawal from mineral entry and location.

Woody Island ACEC

The area would be designated an ACEC (32,869 acres) to maintain the unique landscape and scenic characteristics, and protect the fragile watershed and wildlife species from fragmentation.

The area would include an NSO stipulation for oil and gas leasing.

The area would be an avoidance area for rights-of-way and an exclusion area for wind energy rights-of-way.

The area would be closed to solid mineral leasing and mineral material sales. The BLM would not recommend a withdrawal from mineral entry and location.

Zortman/Landusky Mine Reclamation ACEC

The area would be designated an ACEC (2,682 acres) to promote successful reclamation, protect associated infrastructure, and ensure public safety on BLM lands affected by prior mining activities.

The area, which is within the higher elevations of the Little Rocky Mountains TCP, would be closed to oil and gas leasing to protect the prehistoric and historic archaeological resources in the area.

The area would be an avoidance area for rights-of-way and an exclusion area for wind energy rights-of-way.

The area would be designated closed to off-road vehicles to maintain the reclamation and ensure public safety until such time as the reclamation efforts are completed (this includes travel off road and on roads used for reclamation activities). Travel for administrative purposes or for the administration of a federal lease or permit would be granted, unless specifically prohibited in the lease or permit. Travel on roads would also be allowed for access to private land. When the reclamation efforts are completed the area would be limited to designated roads as determined through the travel plan for the Little Rocky Mountains.

The area is within the existing withdrawal (3,530 acres) in support of the reclamation activities at the Zortman and Landusky mines, which expires in 2015. Through the withdrawal review process, the BLM would consider the need for a new withdrawal or right-of-way to promote successful reclamation. The area for the withdrawal or right-of-way would be based on the need to maintain and protect the infrastructure associated with the reclamation activities, but would not exceed the boundary of the ACEC.

The area would be open to solid mineral material sales associated with the need for reclamation materials and maintenance of the existing roads (5 to 6 miles).

Back Country Byways

No back country byways would be designated at this time. If a back country byway is identified in the future, the designation would be addressed through an activity plan.

National Historic Trails

A portion of the Marias River exploration trail of the Lewis and Clark National Historic Trail crosses approximately 7 miles of BLM land. The BLM will manage this segment of the Lewis and Clark National Historic Trail in a manner that is consistent with the purposes and provisions of Public Law 90-543 (the National Trails System Act) as amended by Public Law 95-265. The Lewis and Clark National Historic Trail Comprehensive Management Plan (NPS 1982) outlines management objectives, practices, and responsibilities, and emphasizes partnerships in trail administration. Scenic and cultural values will be protected on BLM land along this historic trail.

A portion of the Nez Perce National Historic Trail crosses approximately 3 miles of BLM land north of the Upper Missouri River Breaks National Monument and in the Bears Paw Mountains. The BLM will manage this segment of the Nez Perce National Historic Trail in a manner consistent with the purposes and provisions of Public Law 90-543, as amended by Public Law 99-445 and the comprehensive plan being prepared by the U.S. Forest Service.

Wild and Scenic Rivers

The BLM identified and evaluated various river segments to determine their potential inclusion in the National Wild and Scenic Rivers System per Section 5 (d) of the Wild and Scenic Rivers Act. The river study process is a three-step assessment of eligibility, tentative classification of rivers found to be eligible, and a determination of suitability. The BLM reviewed rivers/streams within the planning area and found a 1/2 mile segment of the Marias River at the confluence of the Missouri River to be eligible.

The 1/2 mile segment of the Marias River at the confluence of the Missouri River would be recommended as nonsuitable due to lack of BLM land ownership, the BLM land that is adjacent to the Marias River is included in the Upper Missouri River Breaks National Monument, and management of the area already provides protection for the values along this segment of the Marias River.

Wilderness Study Areas

The Bitter Creek WSA and Burnt Lodge WSA will be managed according to the BLM Manual 6330-Management of BLM Wilderness Study Areas until such time as Congress acts upon the recommendations. Only Congress can designate or release these lands.

The BLM will prepare a wilderness management plan for any areas designated as wilderness by Congress. The WSAs not designated as wilderness by Congress will subsequently be managed in accordance with guidance for adjacent BLM land unless otherwise specified in this RMP. If released by Congress, the Burnt Lodge WSA would be managed consistent with surrounding BLM land. If released by Congress, the Bitter Creek WSA would be managed as an ACEC and a management plan would be developed to provide semi-primitive, motorized recreation opportunities.

The BLM Manual 6330-Management of BLM Wilderness Study Areas) describes the policies under which the BLM will manage the two WSAs under wilderness review until Congress either designates these lands as wilderness or releases them for other purposes. Section 603(c) of FLPMA tells the BLM how to manage lands under wilderness review, in these words: "During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness...."

This language is referred to as the "nonimpairment" mandate. The BLM will review all proposals for uses and/or facilities within the WSAs to determine whether the proposal meets the nonimpairment standard. Uses and/or facilities found to be nonimpairing may be permitted on lands under wilderness review. Uses and/or facilities found to be impairing will be denied. The following criteria are referred to as the nonimpairment criteria.

Nonimpairment Criteria: The use, facility, or activity must be temporary. This means a temporary use that does not create surface disturbance or involve permanent placement of facilities may be allowed if such use can easily and immediately be terminated upon wilderness designation. "Temporary" means the use or facility may continue until the date of wilderness designation, at which time the use must cease and/or the facility must be removed. In the WSAs, "surface disturbance" is any new disruption of the soil or vegetation that would necessitate reclamation.

Decisions to allow or deny proposed actions based on the nonimpairment criteria will be included in appropriate decision documents.

When the use, activity, or facility is terminated, the wilderness values must not have been degraded so far as to significantly constrain the Congress's prerogative regarding suitability of the area for preservation as wilderness.

The only permitted exceptions to the above rules are:

- emergencies such as suppression activities associated with wildfire or search and rescue operations;
- reclamation activities designed to minimize impacts to wilderness values created by IMP violations and emergencies;

- uses and facilities that are considered grandfathered or valid existing rights under the IMP;
- uses and facilities that clearly protect or enhance the land's wilderness values or that are the minimum necessary for public health and safety in the use and enjoyment of the wilderness values; and
- reclamation of pre-FLPMA impacts.

Some lands under wilderness review may contain minor facilities that were found in the wilderness inventory process to be substantially unnoticeable. For example, these may include primitive vehicle routes ("ways") and livestock developments. The IMP does not require such facilities to be removed or discontinued. They may be used and maintained as before, as long as this does not cause new impacts that would impair the area's wilderness suitability.

Vegetation - Rangeland

The BLM will ensure consistency with achieving or maintaining Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota.

Any increase in vegetation allocation will be applied to watershed protection until soils are stabilized to a satisfactory condition as determined by an interdisciplinary team prior to increasing livestock or wildlife allocations.

The BLM will consult with MFWP and seek concurrence regarding the anticipated benefits and/or impacts of any vegetation treatments that may impact wildlife habitat including priority sage-grouse habitat.

Site-specific sage-grouse habitat and management objectives would be developed for BLM land within the Greater Sage-Grouse Protection Priority Area and the Grassland Bird/Greater Sage-Grouse Priority Areas. These objectives would be incorporated into the respective allotment management plans (AMPs) or livestock grazing permits as appropriate.

Rest periods from livestock grazing of less than two growing seasons in vegetation treatment areas may be desirable in some circumstances, and would be determined through site-specific interdisciplinary planning, monitoring, and environmental review. For example, it may be desirable to use grazing to control weedy or invasive species immediately following a vegetation treatment.

Selling of grass seed, hay, or other vegetative products may be authorized. Hay or seed cutting may be used as a land treatment to improve production of crested wheatgrass provided it is not in conflict with wildlife or wildlife habitat values.

Range improvements would be constructed to manage use of vegetation to support multiple use resource management.

Water developments would be installed and/or maintained to facilitate control of livestock use of vegetation, support other uses and protect resource values. In order to minimize surface disturbance, have reliable water of better quality and not alter normal surface flow of water, alternative water developments would be emphasized before constructing new pits and reservoirs. The BLM would manage water developments within greater sage-grouse habitat to reduce the spread of West Nile virus.

The BLM would use land treatments to achieve and maintain fire regimes, watershed, grazing management, and wildlife objectives. Within the Greater Sage-Grouse Protection Priority Area and the Grassland Bird/Greater Sage-Grouse Priority Areas, treatments that conserve, enhance or restore greater sage-grouse habitat would be allowed as well as treatments that benefit other resources and do not adversely affect sage-grouse or their habitat.

Rangeland health monitoring and assessments would be conducted within current staffing capabilities. The allotments within the Greater Sage-Grouse Protection Priority Area and the Grassland Bird/Greater Sage-Grouse Priority Areas would be high priority for reassessment of land health standards and processing grazing permits. Rangeland health monitoring plans would be developed and implemented at the field office level.

Increased production resulting from land treatments would be allocated toward accomplishing multiple use objectives. Additional forage resulting from land treatments could be temporarily allocated 75% to watershed and wildlife, and 25%

to livestock. Conversely, where there is substantial contribution by the livestock permittee and no conflicts with wildlife objectives, up to 50% of the additional vegetation may be temporarily allocated to livestock.

Existing crested wheatgrass seedings would be managed where feasible as spring use pastures to defer native rangeland grazing. Crested wheatgrass seedings would be maintained for maximum livestock forage production with up to 70% of the production allocated to livestock when soils are stabilized to a satisfactory condition. Mechanical treatments and fertilization are management practices which renovate old crested wheatgrass stands to benefit associated native rangeland. Additional crested wheatgrass seedings may be used to consolidate existing scattered stands of crested wheatgrass into manageable units. Where native restoration of old crested wheatgrass seedings is considered, farming and herbicide use could be authorized for up to three years in order to help destroy the old crested wheatgrass seed bank and improve the success of the native seeding.

The initiating party would be required to reclaim surface disturbances greater than one-tenth acre if necessary to protect other resources. Range improvement pits and reservoirs would be excluded until abandonment.

All surface disturbances would be reseeded/revegetated with native plant species common to the site's natural plant community. Site-specific environmental analysis may warrant the use, on a case-by-case basis, of introduced species where difficult site stabilization or wildlife concerns prevail.

Native species needed for reclamation and restoration activities, including the restoration of sage-grouse habitats in the planning area, will be identified and prioritized. Seed that is not available commercially should be collected following the procedures outline in the Seeds of Success Protocol from local sources. Locally collected seed should be used to create sources of native plant materials through increase locally with willing farmers or through work with NRCS Plant Materials Programs or through both. Cleaning and storage of seed until sent for increase must be addressed so that viability is maintained.

The best available vegetation treatment would be considered for managing cheatgrass and annual bromes, including but not limited to early spring grazing, mid-summer prescribed fire, and herbicide use.

Vegetation – Riparian and Wetland

An implementation plan will be developed that contains an assessment and monitoring plan for riparian and wetland areas. User guides to assessing proper functioning condition and the supporting science for lotic areas (TR 1737-15) and lentic areas (TR 1737-16) will be adhered to by the BLM's interdisciplinary identification and assessment teams.

The BLM will enhance or restore riparian composition and structure beyond PFC in riparian areas where and when appropriate for other resource values. This may include, but is not limited to, establishing riparian pastures, stream corridor/ shoreline fencing, specialized grazing methods, winter grazing use, a different species of livestock, and rehabilitation protective measures.

The BLM will conserve riparian/wetland habitat by intensifying cooperative efforts among federal, state and private interests and will minimize the destruction, loss or degradation of wetlands.

Wetlands will be protected in accordance with the provisions of Executive Order (EO) No. 11990, Protection of Wetlands. Under the provisions of this EO, the BLM must minimize the destruction, loss or degradation of wetlands when acquiring, managing and disposing of federal lands and facilities.

Riparian protection will be provided by the Montana Streamside Management Zone Law (77-5-301 through 77-5-307 MCA). Streamside Management Zones (SMZs) provide regulation for the protection of water quality.

Ephemeral drainages and some mapped intermittent streams would not be covered by the SMZs under the definitions in the state regulations. These areas, however, would be covered by management stipulations commonly known as BMPs.

Prescribed fire could be used as a management agent to support healthy functioning riparian conditions.

Riparian areas with unique values (i.e.; where water quality habitat for special status species is an issue) would be treated as avoidance areas for rights-of-way (installation of infrastructure that require surface disturbance and/or permanent surface occupancy).

Grazing techniques and practices would be implemented to reduce hot season (summer) grazing on riparian and meadow complexes within the Greater Sage-Grouse Protection Priority Area and the Grassland Bird/Greater Sage-Grouse Priority Areas. Alternate water facilities would be installed to relieve grazing impacts on riparian areas outside of priority sage-grouse habitat.

Saline seeps that occur as a result of surface-disturbing activities would be prioritized and reclaimed. Surface-disturbing activities with the potential for producing seep areas would be designed with mitigation measures to minimize development of saline seeps.

Riparian exclosures would be maintained, monitored, evaluated and/or modified for their intended purpose. If they no longer serve a resource management purpose they would be removed.

No pits would be placed in natural wetlands and in some cases pits may be filled in to improve wildlife habitat in natural wetlands. Wetlands that have been drained for water consolidation may be restored by plugging drainage ditches, and alternative water developments may be developed in these areas.

Vegetation – Special Status Plants

The BLM will manage for the conservation of BLM special status plants and their associated habitats and to ensure that actions authorized, funded, or carried out do not contribute to the need to list any species as threatened or endangered. Site-specific prescriptions may include avoidance of special status plant habitat for ROWs, seasonal timing restrictions for grazing (e.g., limited to no grazing during flowering to seed set for a particular species), no salt or water placement within 0.25 miles of a known special status plant species population, seed collection or transplanting of special status plant species for mitigation.

The BLM will inventory lands to determine which BLM special status plant species occur on public lands, the condition of the plant populations and their habitats, and how discretionary BLM actions affect those plant species and their habitats.

The BLM will cooperatively participate in recovery plans, management plans and conservation strategies for special status species plants and will work with federal, tribal, and state agencies as well as private landowners to improve habitat for special status plants.

Through activity plans for other resources (e.g., watershed plans, fire management plans, allotment management plans, etc.) the BLM will design site-specific management prescriptions and projects to benefit individual species habitats and communities. Special status plants will be monitored to assess their condition and trend.

Visual Resources

Visual resource design techniques and BMPs will be used to minimize short and long-term visual impacts. Contrast ratings will be completed for all proposed projects in Class I and II areas, and for proposed projects in Class III and IV areas that are high-impact projects or located in highly sensitive areas.

The visual resource contrast rating system will be used during project level planning to determine whether or not proposed activities will meet VRM objectives.

The Burnt Lodge and Bitter Creek WSAs would be managed as VRM Class I areas (74,506 acres). The following areas would be managed as VRM Class II (841,087 acres):

- an area south of the Dry Fork Road in Phillips County and the area south of the Willow Creek Road in Valley County and north of the Charles M. Russell National Wildlife Refuge;

- areas just north of the Upper Missouri River Breaks National Monument;
- Bitter Creek area;
- Frenchman area including the Frenchman ACEC;
- Kevin Rim area;
- Marias River area;
- Sweet Grass Hills area;
- Woody Island area; and
- areas managed for wilderness characteristics.

The remaining BLM lands would be managed as VRM Class III (521,868 acres) and VRM Class IV (1,000,013 acres).

In VRM Class II areas the BLM would reduce the visual contrast on BLM land in the existing landscape by utilizing proper site selection, reducing soil and vegetative disturbance, choice of color, and over time, returning the disturbed areas to a seamless, natural landscape.

Water Resources

Surface and ground water quality will be maintained to state and federal water quality standards, including Standard for Rangeland Health #3 which requires that water quality meets Montana state standards. BMPs will be used to prevent nonpoint source water pollution, and mitigation measures will be applied on a case-by-case basis. Permits pertaining to projects affecting water quality, wetlands, or streams will be obtained, and outside applicants will be required to provide copies of permits (e.g., 310, 404) prior to BLM authorization.

Projects will be reviewed on a case-by-case basis to minimize impacts to water quality. All proposed reservoirs will be designed with a minimum 15-year life expectancy, and the BLM will evaluate other types of improvements to determine the need for alternate site water facilities (e.g., wells, springs). The BLM will continue to comply with Montana water laws, obtain water rights for all projects, and participate in the water adjudication process.

Through an existing memorandum of understanding with the Montana DEQ, the BLM will participate in the development, implementation, and monitoring of water quality restoration plans (WQRPs) and total maximum daily load (TMDL) in watershed planning areas in which the BLM is a significant land manager or water user.

The BLM will use reasonable land, soil, and water conservation practices to prevent harm to public health, recreation, safety, welfare, livestock, birds, fish, or other wildlife prior to the adoption of WQRPs and TMDLs.

The BLM will manage federal lands with reasonable land, soil, and water conservation practices in order to protect waterbodies that currently meet state water quality standards and improve water quality where beneficial uses are not fully supported. The BLM manages nonpoint source pollution by controlling the cause and source of pollutants through the use of pollution control measures such as BMPs and soil and water conservation practices. These measures are discussed in detail in the Montana Nonpoint Source Management Plan. The BLM is responsible for monitoring progress and success once pollution control measures are implemented.

Disposal of produced water from any oil and gas fields will be in accordance with Onshore Order No. 7 and EPA guidelines.

Watershed control structures would be maintained on a case-by-case basis to meet Standards for Rangeland Health or public safety concerns.

New reservoirs would be considered on a site-specific basis through activity planning and would consider livestock grazing practices, important wildlife habitat, alternate water sources, and the opportunity to replace or repair existing reservoirs.

Water supply sources (e.g., wells, springs, reservoirs, and stream and lake access) for BLM-authorized actions (e.g., grazing, wildlife, recreation, etc.) would comply with Montana water laws.

The BLM would avoid the discharge of produced water from point sources to BLM land, including stream channels and uplands, as a means of disposal. Any allowed discharge would be in compliance with DEQ requirements.

Wilderness Characteristics

The BLM would manage 2 areas (Areas 49B and 53) in the Eastern Breaks and Badlands (10,714 acres) to protect wilderness characteristics as a priority over other multiple uses.

The areas would be open to oil and gas leasing with a no surface occupancy (NSO) stipulation (10,714 acres).

The areas would be identified for retention or very limited disposal through exchange. The lands would not be available for sale (Category 2 lands under Land Ownership Adjustment). The BLM land would not be disposed of other than by exchange and only when necessary to further protect or enhance the wilderness characteristics.

The areas would be avoidance areas for rights-of-way. In avoidance areas, efforts would be made to reroute a proposal. A right-of-way may be allowed if no reasonable alternative is found; however, special mitigation measures may be required to protect sensitive resource values. Rights-of-way may also be allowed if they support or promote other management objectives for the areas.

No changes to livestock grazing or grazing allocations would occur on any lands managed for wilderness characteristics, and all agreements and provisions for maintenance and upkeep of existing range improvements would continue to remain in effect including access to and maintenance of range improvements. New range improvements and land treatments could be allowed provided they meet with the objective of enhancing or restoring those wilderness characteristics being managed for and meet the intent of the visual quality objectives of the VRM class.

The areas would be limited for OHV use and a high priority for travel management planning. In these areas travel would be limited to existing roads and trails until subsequent travel management plans designate a motorized and nonmotorized transportation network after completion of this RMP.

The areas would be managed as semi-primitive motorized under the recreation opportunity spectrum (ROS): some opportunity for isolation from man-made sights, sounds, and management controls in a predominantly unmodified environment and motorized use is permitted.

These areas would be exclusion areas for wind energy rights-of-way. As a result, these areas will be closed to commercial wind energy development, including wind energy site monitoring and testing.

The areas would be managed as VRM Class II (10,714 acres). In VRM Class II areas, the BLM may prohibit surface-disturbing activities if such activities are not designed to meet the intent of the visual quality objectives of the VRM class. In VRM Class II areas the objective is to retain the existing character of the landscape.

Wildlife

General Wildlife

The BLM will provide ecological conditions that support wildlife species over the long term and promote maintenance and recovery of federally listed species and BLM sensitive species.

New fences would follow BLM specifications to allow for wildlife passage, except for fences built specifically to keep wildlife out of an area. Fences would also be placed and marked, or modified, to reduce wildlife collisions or entanglements.

Powerlines and substations constructed on BLM land would comply with the most current raptor protection standards (currently Suggested Practices for Avian Protection on Power Lines: The State of the Art 2006). Existing powerlines that have been identified as having problems with collision or electrocution of wildlife and do not meet APLIC standards will be corrected and modified to prevent future wildlife collision threats or electrocution. Powerlines that are in good

working order will be maintained and upgraded as deemed necessary.

Wildlife mortality at water tanks on BLM land will be minimized, primarily through the use of functional wildlife escape ramps. All new tanks will have effective escape ramps built in and existing tanks will have effective escape ramps installed.

Mitigation for migratory birds will be considered during activity level planning because the number of species, variety of habitats, and variation in seasonal movements limit the ability to provide effective mitigation for all species at the resource management planning level.

Management activities will consider current adopted strategies including Montana's Comprehensive Fish and Wildlife Conservation Strategy and currently accepted science. The BLM will continue to implement, review, and update as necessary the Prairie Pothole Waterfowl and Fisheries Habitat Management Plan (HMP) of North Central Montana, Whitewater Lake Waterfowl Habitat Development Project HMP, and Milk River Hills Pronghorn Winter Range HMP.

Implementation and consistent and effective monitoring of outcomes for habitat and species will provide the impetus toward the desired conditions. Monitoring will provide necessary data to evaluate RMP management decisions and will help identify needs for changes in management practices. Monitoring to track changing conditions in key areas and for specific species is an important step in accomplishing objectives and achieving desired conditions.

Coordination and partnerships with state and federal agencies, tribal governments, commercial interests, interested organizations and individuals will serve as an important way to achieve desired conditions throughout the planning area, particularly for wildlife species and populations that span administrative and legal boundaries.

The BLM will work with local organizations, schools and other agencies to provide educational programs, information brochures, interpretive sites, etc. to promote public awareness, appreciation, and understanding of wildlife conservation, management, and ecology.

Fences identified as potential barriers to wildlife movement or representing significant hazards for wildlife on BLM land would be inventoried. Fences would be prioritized for replacement or modification to maintain resource values including wildlife movements.

Bighorn Sheep: No new grazing permits authorizing sheep or goat allotments would be allowed in bighorn sheep range. Sheep and goat allotments in areas with risk of contact with bighorn sheep and domestic sheep and/or goats in the planning area would be reviewed and managed, or reclassified if necessary, to achieve effective separation (both temporal and/or spatial) between domestic sheep and/or goats and bighorn sheep. Contact risk would be based on habitat, distance between bighorn sheep range (current and anticipated), sheep and goat allotments, movement potential, and current science and guidelines. Domestic sheep/goats would not be allowed within bighorn sheep range unless mechanisms are in place to achieve effective separation from wild sheep.

Migratory Birds: The BLM would follow the Prairie Pothole Joint Venture Implementation Plan (2005) to analyze site-specific proposed actions and determine whether BLM lands are meeting rangeland health standards. The BLM would integrate the goals of the PPJV into programmatic and site-specific management decisions through the following management actions:

- Emphasize maintenance and restoration of habitats that sustain sensitive species.
- Strive to enhance or restore migratory bird habitat composition and structure in riparian habitats, where and when appropriate.

Waterfowl: Upland and emergent vegetation in pastures surrounding reservoirs established or rebuilt for waterfowl values would be managed to provide adequate nesting and brood rearing cover for waterfowl.

Special Status Species

The BLM will ensure habitat is provided for special status species. Proposed actions will not jeopardize the continued existence of a threatened or endangered species, or cause its habitat to be adversely modified or destroyed.

The BLM will continue cooperative participation in recovery plans, management plans and conservation strategies for special status species.

Fragmentation of large intact blocks of important wildlife habitat will be minimized, particularly protection priority areas for greater sage-grouse and priority habitat for grassland birds.

The BLM may add additional mitigation measures as deemed necessary by further environmental analysis and as developed through consultation with other federal, state, and local regulatory and resource agencies.

The BLM will apply appropriate mitigation measures and conservation actions to BLM-authorized activities to avoid, minimize, rectify, reduce, or compensate for impacts if an evaluation of the project area indicates the presence of important wildlife species, seasonal wildlife habitat, or other resource concerns. The sequence of mitigation action will be:

Step 1. Avoid - Adverse impacts to resources are to be avoided and no action shall be permitted if there is a practicable alternative with less adverse impact.

Step 2. Minimize - If impacts to resources cannot be avoided, appropriate and practicable steps to minimize adverse impacts must be taken.

Step 3. Compensate - Appropriate and practicable compensatory mitigation is required for unavoidable adverse impacts which remain. The amount and quality of compensatory mitigation may not substitute for avoiding and minimizing impacts.

Even after avoiding and minimizing impacts, projects that will cause adverse impacts to resources typically require some type of compensatory mitigation. Compensatory mitigation refers to the restoration, establishment, enhancement, or in certain circumstances preservation of resources for the purpose of offsetting unavoidable adverse impacts. The BLM will determine the appropriate form and amount of compensatory mitigation required. Methods of compensatory mitigation include restoration, establishment, enhancement and preservation.

- *Restoration*: Re-establishment or rehabilitation of a resource with the goal of returning natural or historic functions and characteristics to a currently degraded area. Restoration may result in a gain in function or acres, or both.
- *Establishment (Creation)*: The development of a resource where that resource did not previously exist through manipulation of the physical, chemical and/or biological characteristics of the site. Successful establishment results in a net gain in acres and function.
- *Enhancement*: Activities conducted within existing resources that heighten, intensify, or improve one or more functions. Enhancement is often undertaken for a specific purpose such as to improve water quality, flood water retention or wildlife habitat. Enhancement results in a gain in function, but does not result in a net gain in acres.
- *Conservation*: The permanent protection of ecologically important resources through the implementation of appropriate legal and physical mechanisms (i.e. conservation easements, title transfers). Preservation may include protection of areas adjacent to resource locations as necessary to ensure protection or enhancement of the ecosystem. Preservation does not result in a net gain of acres and may only be used in certain circumstances, including when the resources to be preserved contribute significantly to ecological sustainability.

There are times when mitigating project impacts through onsite mitigation alone, may not be possible or sufficient to adequately mitigate impacts and achieve resource objectives. In these cases, it may be appropriate to consider offsite

mitigation as a feature of one or more of the alternatives in the impact analysis. Offsite mitigation is generally appropriate when the authorized officer determines that impacts cannot be mitigated to an acceptable level on site and it is expected that the land use authorization as submitted would not be consistent with the BLM's resource objectives. The BLM may expressly condition its approval of an action on the applicant's commitment to take actions, and the BLM may, if necessary, seek appropriate enforcement action to ensure the terms of the contract are met (BLM Instruction Memorandum No. 2012-xxx).

Because of site-specific circumstances, some mitigation measures and conservation actions may not apply to some activities (e.g., a resource or conflict is not present on a given site) and/or may require slight variations from what is described in Appendix M. Proposed variations will be addressed as site-specific mitigation applied in the permitting process. All variations in mitigation measures and conservation actions will require appropriate analysis and disclosure as part of activity authorization. It is anticipated that variations in the mitigation measures and conservation actions will be approved in very limited circumstances and only in coordination with state wildlife management agencies. Mitigation measures and conservation actions selected for implementation will be identified in the Record of Decision (ROD) or Decision Record (DR) for those activities. The proponent must implement those identified mitigations because they are commitments made as part of the BLM decision. Because these decisions create a clear obligation for the BLM to ensure any proposed mitigation adopted in the environmental review process is performed, there is assurance that mitigation will lead to a reduction of environmental impacts in the implementation stage and include binding mechanisms for enforcement (CEQ Memorandum for Heads of Federal Departments and Agencies 2011). The determination of adequate application of the mitigation measures and conservation actions for specific projects will remain with the BLM's Authorized Officer.

Fragmentation of large intact blocks of habitat for special status species would be minimized, particularly in habitat protection areas for greater sage-grouse and grassland birds.

The BLM would coordinate with MFWP or other interested parties to highlight special status species information and BLM management of habitats for special status species. The BLM would also provide outreach materials for the general public.

Black-tailed Prairie Dog: The BLM would adopt the MFWP Region 6 Prairie Dog Abundance and Distribution Objectives Plan and would contribute to achieving prairie dog objectives on BLM land as outlined in the plan.

Grassland Bird/Greater Sage-Grouse Priority Areas: To minimize habitat fragmentation, two areas with BLM surface ownership would be managed to retain intact blocks of native vegetation. One of these areas is also a sage-grouse core area identified by MFWP. These two areas would include 298,772 acres of BLM surface. The following management actions would apply to the two areas:

- The areas would include a no surface occupancy (NSO) stipulation for oil and gas leasing (318,143 acres).
- Exploration and development activities for existing oil and gas leases would be managed according to BMPs, or other mitigation measures, through conditions of approval in authorizing APDs or plans of development. Consistent with surface use rights granted, the existing lease may be subject to "restrictions deriving from specific, nondiscretionary statutes; and such reasonable measures as may be required by the authorized officer to minimize adverse impacts to other resource values, land uses or users not addressed in the lease stipulations at the time operations are proposed" (43 CFR 3101.1-2). Overall consideration shall be given to minimizing the impact to sage-grouse through a project design that avoids, minimizes, reduces, rectifies, and/or adequately compensates for direct and indirect impacts to sage-grouse habitat or use and includes applicable and technically feasible conditions of approval. Selection and application of these measures shall be based on current science and research on the effects to important breeding, nesting, brood-rearing, and wintering areas.
- The areas would be avoidance areas for the issuance of rights-of-way except within designated corridors. Rights-of-way and similar facilities would be located adjacent to other facilities in a corridor where practical. The BLM would consider opportunities to remove, bury, or modify existing powerlines (e.g., burying, anti-perching devices or line location).

- Where leases or rights-of-way have some level of development (e.g., road, fence, well, etc.) that are no longer in use, the site would be reclaimed by removing the features and restoring the habitat. Upon project completion or right-of-way expiration, roads built and maintained for commercial use across BLM land would be reclaimed, unless based on site-specific analysis, the route provides specific benefits to the public and the continued public use does not contribute to resource conflicts.
- The areas would remain available for livestock grazing. Site specific grassland bird and/or greater sage-grouse habitat and management objectives would be developed for BLM land and incorporated into the respective allotment management plans (AMPs) or livestock grazing permits as appropriate.
- Existing range improvements, including the location of supplements, would be evaluated and if necessary modified to conserve, enhance or restore sage-grouse habitat.
- The areas would be exclusion areas for wind energy rights-of-way.
- Mineral materials sales within these areas would require a plan to maintain functionality of habitat, avoid or minimize habitat loss, and minimize disturbances to grassland birds.
- The areas would be closed to leasable minerals (317,197 acres).
- Withdrawal proposals would be evaluated at the project level and would not be approved unless the land management is consistent with maintaining and protecting BLM resource values.
- New road construction would be limited to realignments of existing roads, if that realignment has a minimal impact on greater sage-grouse habitat, eliminates the need to construct a new road, or is necessary for public safety. New road construction would include appropriate mitigation and BMPs.
- Existing roads, or realignments, would be used to access valid existing rights. If valid existing rights cannot be accessed via existing roads, then any new road would be constructed to the absolute minimum standard necessary with appropriate mitigation and BMPs.

General Greater Sage-Grouse Habitat Areas: Sagebrush habitats would be managed so that mid-scale (i.e. landscape level) shrub cover should include a mix of height classes with herbaceous understory adequate for meeting greater sage-grouse requirements as well as habitat requirements for other sage-associated species such as mule deer and pronghorn.

Consideration would be given to incorporating site specific greater sage-grouse habitat and management objectives as appropriate to the area into AMPs or livestock grazing permits.

Greater sage-grouse habitat suitability determinations would be based upon existing guidelines modified with data from recent habitat inventories and assessments in the planning area. Relevant range-wide research findings would also be included in habitat suitability determinations.

The BLM would emphasize restoration and rehabilitation of sagebrush in areas that are capable of, but no longer support sagebrush to contribute to the distribution and connectivity of habitat patches.

New distribution powerlines on BLM land within 1 mile of greater sage-grouse leks would be buried.

Greater Sage-Grouse Protection Priority Area: To minimize wildlife habitat fragmentation, an area with BLM surface ownership greater than 50% would be managed to retain intact blocks of native vegetation where contiguous acreage of greater than 10,000 acres is present. This area includes 930,265 acres of BLM surface on which the following management actions would apply:

- The area would include a no surface occupancy (NSO) stipulation for oil and gas leasing (1,028,661 acres of federal minerals).

- Exploration and development activities for existing oil and gas leases would be managed according to BMPs, or other mitigation measures, through conditions of approval in authorizing APDs or plans of development. Consistent with surface use rights granted, the existing lease may be subject to “restrictions deriving from specific, nondiscretionary statutes; and such reasonable measures as may be required by the authorized officer to minimize adverse impacts to other resource values, land uses or users not addressed in the lease stipulations at the time operations are proposed” (43 CFR 3101.1-2). Overall consideration shall be given to minimizing the impact to sage-grouse through a project design that avoids, minimizes, reduces, rectifies, and/or adequately compensates for direct and indirect impacts to sage-grouse habitat or use and includes applicable and technically feasible conditions of approval. Selection and application of these measures shall be based on current science and research on the effects to important breeding, nesting, brood-rearing, and wintering areas.
- The area would be an avoidance area for the issuance of rights-of-way except within designated corridors. Rights-of-way and similar facilities would be located adjacent to other facilities in a corridor where practical. The BLM would consider opportunities to remove, bury, or modify existing powerlines (e.g., burying, anti-perching devices or line location).
- Where leases or rights-of-way have some level of development (e.g., road, fence, well, etc.) that are no longer in use, the site would be reclaimed by removing the features and restoring the habitat. Upon project completion or right-of-way expiration, roads built and maintained for commercial use across BLM land would be reclaimed, unless based on site-specific analysis, the route provides specific benefits to the public and the continued public use does not contribute to resource conflicts.
- The area would remain available for livestock grazing. Site specific greater sage-grouse habitat and management objectives would be developed for BLM land and incorporated into the respective allotment management plans (AMPs) or livestock grazing permits as appropriate.
- Existing range improvements, including the location of supplements, would be evaluated and if necessary modified to conserve, enhance or restore sage-grouse habitat.
- The area would be an exclusion area for wind energy rights-of-way (930,265 acres).
- The area would be closed to leasable minerals (1,023,068 acres).
- Mineral material sales within this area would require a plan to maintain functionality of habitat, avoid or minimize habitat loss, and minimize disturbances to greater sage-grouse protection priority areas. The plan would include appropriate monitoring and mitigation, based on current science and research, for effects to important breeding (leks), nesting, brood-rearing, and wintering areas.
- Withdrawal proposals would be evaluated at the project level and would not be approved unless the land management is consistent with maintaining and protecting BLM resource values.
- New road construction would be limited to realignments of existing roads, if that realignment has a minimal impact on greater sage-grouse habitat, eliminates the need to construct a new road, or is necessary for public safety. New road construction would include appropriate mitigation and BMPs.
- Existing roads, or realignments, would be used to access valid existing rights. If valid existing rights cannot be accessed via existing roads, then any new road would be constructed to the absolute minimum standard necessary with appropriate mitigation and BMPs.

Greater Sage-Grouse Restoration Area: This is an area with ongoing or imminent impacts containing substantial and high quality sage-grouse habitat that historically supported sustainable sage-grouse populations. This area includes 46,786 acres of BLM surface. Management actions would emphasize restoration for the purpose of establishing or restoring sustainable sage-grouse populations.

Specific management for this area would be addressed through plan implementation, most likely a natural gas field development plan for the Bears Paw South Area. Management actions addressed during implementation would be based on guidance contained in Instruction Memorandum MT-2010-017 and may include:

- Maximizing the area of interim reclamation on roads and well locations.
- Direct planting of seedlings of shrubs and forbs important for spring and summer food.
- Seeding of wild collected shrub seed to increase nesting habitat.
- Burying powerlines to prevent predator perch sites.

Mountain Plover: The following management actions would apply to protect mountain plover habitat and to maintain regional mountain plover populations:

- Mountain plover habitat would include an NSO stipulation for oil and gas leasing: surface occupancy and use would be prohibited within mountain plover habitat.
- A timing stipulation would also apply: surface occupancy and use would be prohibited within 1/4 mile of mountain plover habitat from April 1 through July 15.
- Activities for existing oil and gas leases would be managed according to BMPs.
- For surface-disturbing or disruptive activities other than oil and gas, mitigation would be applied where needed to minimize impacts of human activities on mountain plover habitat consistent with the oil and gas surface use restrictions. The BLM would avoid permanent above-ground structures that may provide perches for avian predators or deter plover from using preferred habitat. Mitigation measures would be applied on a case-by-case basis during activity level planning if an evaluation of the project area indicates the presence of mountain plovers. This would include surveys for mountain plovers in all suitable habitat, as well as avoidance of nesting areas from April 1 through July 15. Exceptions may be granted by the authorized officer if an environmental review demonstrates that effects could be mitigated to an acceptable level.
- Road maintenance in mountain plover habitat would not occur between April 1 and July 15 unless the road is surveyed prior to maintenance activities for plover presence and avoidance measures are implemented.
- The BLM would reduce or control non-native grasses to increase breeding habitat, and prescribed burning could be used to increase the availability of nesting habitat, particularly on lands where taller or non-native grasses occur.
- The BLM would promote integrated pest management practices that limit chemical applications in mountain plover habitat.

Piping Plover: The following management actions would apply to protect piping plover habitat and maintain regional piping plover populations:

- Piping plover habitat would include an NSO stipulation for oil and gas leasing: surface occupancy and use would be prohibited within 1/4 mile of essential and critical habitat.
- Road maintenance in piping plover habitat would not occur between April 1 and July 31 unless the road is surveyed prior to maintenance activities for plover presence and avoidance measures are implemented.

Sprague's Pipit: The following management actions would apply to protect Sprague's pipit habitat:

- Sprague's pipits would be protected through management actions for the Grassland Bird/Greater Sage-Grouse Priority Areas.
- A timing stipulation would apply to areas within Sprague's pipit habitat: surface occupancy and use would be prohibited from April 15 through July 15.

